FEDERAL REGISTER

VOLUME 10 NUMBER 49

Washington, Friday, March 9, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, it is hereby determined that the provisions of such order which provide seasonal minimum prices on Class I milk and Class III milk, respectively, during April, May, and June 1945, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That the following provisions of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area be suspended for the period from the date hereof through June 30, 1945:

1. In § 930.5 (a) (1), the words:

* * * during the delivery period of June 1942; and thereafter add the following amount per hundredweight:

Delivery period:	*Amount (dollars per hundredweight)*
July through March	0.90
April, May, and June	.80

2. In § 930.5 (a) (3), the words "* * *, except during the months of April, May, and June, when the Class III price shall be the price determined pursuant to subparagraph (4) of this paragraph, less 10 cents."

(E. O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 7th day of March, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-3709; Filed, Mar. 8, 1945; 11:09 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 63-3]

PART 1596—FOOD IMPORTS

SUGAR-CONTAINING PRODUCTS; REVISION OF APPENDIX

Pursuant to the authority vested in me by the provisions of War Food Order No. 63 (9 F.R. 13280, 14877, 10 F.R. 103), § 1596.1 (d), Appendix A to that order is revised to add the following item thereto:

Food	*Commerce import class No.*
Sugar-containing products, composed of 50 percent or more by weight of sugar	N. S. C.

This revision shall be effective on March 15, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO No. 63, 9 F.R. 13280, 14877, 10 F.R. 103)

Issued this 7th day of March 1945.

M. L. BRENNER,
Acting Director of Supply.

[F. R. Doc. 45-3693; Filed, Mar. 7, 1945; 3:27 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5092]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

F. H. NOBLE & CO.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66

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FEDERAL REGISTER

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CONTENTS—Continued

(a7) *Misbranding or mislabeling—Composition.* In connection with the offering for sale, sale, and distribution of solders for use on gold in commerce, (1) using terms such as "20K" or "for 20K," or any other term indicating gold fineness, to designate, describe, or refer to solders for use on gold, unless the solder is of the fineness indicated by the term used; or (2) representing directly or by implication, that its solder is of a fineness in excess of its actual gold content; prohibited, subject to the provision, however, as respects said first prohibition, that such terms may be used to indicate that a particular solder is for use on gold articles of the fineness indicated by the term used, if such term is accompanied by a statement of equal conspicuousness clearly showing that the solder is of lower gold content and not of the fineness indicated by the term used but is to be used upon articles of the fineness indicated. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, F. H. Noble & Company, Docket 5092, January 3, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of January, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, and a stipulation as to the facts entered into between the respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent findings as to the facts and conclusions based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent F. H. Noble & Company, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of solders for use on gold in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using terms such as "20K" or "for 20K," or any other term indicating gold fineness, to designate, describe, or refer to solders for use on gold, unless the solder is of the fineness indicated by the term used: *Provided, however,* That such terms may be used to indicate that a particular solder is for use on gold articles of the fineness indicated by the term used, if such term is accompanied by a statement of equal conspicuousness clearly showing that the solder is of lower gold content and not of the fineness indicated by the term used but is to be used upon articles of the fineness indicated.

2. Representing, directly or by implication, that its solder is of a fineness in excess of its actual gold content.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45–3716; Filed, Mar. 8, 1945; 11:33 a. m.]

[Docket No. 4624]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN SCHOOL OF COMMERCE, ET. AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or private business as religious, educational or research institution:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private business as educational, religious or research institution:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Size or equipment:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business being religious, educational or research institution or organization.* In connection with the offering for sale, sale, and distribution of any courses of study or instruction in commerce, and among other things, as in order set forth, (1) using the word "college" in or as a part of the name for or designation of respondents' school, or representing in any manner that said school is a college or other institution of higher learning; or (2) representing that respondents' school has a campus, or that it maintains or has available for students other physical facilities or equipment greater than is the fact; or that extracurricular school activities different from or greater than is the fact are available to students; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American School of Commerce, et al., Docket 4624, January 31, 1945]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Terms and conditions:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Usual as reduced or to be increased:* § 3.72 (f20) *Offering deceptive inducements to purchase or deal—Individual's special selection or situation:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers, savings and discounts:* § 3.72 (n10) *Offering deceptive inducements to purchase or deal—Terms and conditions.* In connection with the offering for sale, sale and distribution of any courses of study or instruction in commerce, and among other things, as in order set forth, (1) representing in any manner that the tuition, fees, or other charges, costs, or expenses for any course or courses in respondents' school are less than is the fact; (2) representing that the usual or customary charges for any course or courses in respondents' school constitute special or reduced prices; or (3) representing that scholarships or other special terms or advantages are given to a few selected high school graduates, when in fact the terms offered are the customary and usual terms to any student or prospective student; prohibited (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American School of Commerce, et al., Docket 4624, January 31, 1945]

§ 3.51 *Enforcing dealings or payments wrongfully:* § 3.96 (b) *Using misleading name—Vendor—Concealed subsidiary or "alter ego."* In connection with the offering for sale, sale and distribution of any courses of study or instruction in commerce, and among other things, as in order set forth, representing that the Western Bond & Finance Company, or any other collection agency or activity owned, controlled, or conducted by respondents, or any of them, as a means of collecting sums due or alleged to be due from students or their guarantors is an innocent holder for value of the notes or other evidence of such indebtedness given by such students or their guarantors; or using a fictitious name for such collection activities as a means of importing or implying that said evidences of indebtedness are in the hands of an innocent holder for value, when in fact respondents, or any of them, are the beneficial owners of such evidences of indebtedness; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American School of Commerce, et al., Docket 4624, January 31, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of January, A. D. 1945.

In the Matter of American School of Commerce, a Corporation; John A. Youngstrom and Edward C. Dusatko, Individually and as Copartners Trading as American College and as President and Vice President, Respectively, of American School of Commerce, a Corporation; and D. N. Doyle, Individually and as Secretary of American School of Commerce

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner and exceptions thereto, and brief in support of the complaint (respondents not having filed brief and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent American School of Commerce, a corporation, its officers, representatives, agents, and employees, and respondents John A. Youngstrom, Edward C. Dusatko, and D. N. Doyle, individually and as officers of respondent American School of Commerce, their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of any courses of study or instruction in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "college" in or as a part of the name for or designation of respondents' school, or representing in any manner that said school is a college or other institution of higher learning.

2. Representing in any manner that the tuition, fees, or other charges, costs, or expenses for any course or courses in respondents' school are less than is the fact.

3. Representing that the usual or customary charges for any course or courses in respondents' school constitute special or reduced prices.

4. Representing that scholarships or other special terms or advantages are given to a few selected high school graduates, when in fact the terms offered are the customary and usual terms to any student or prospective student.

5. Representing that respondents' school has a campus, or that it maintains or has available for students other physical facilities or equipment greater than is the fact; or that extracurricular school activities different from or greater than is the fact are available to students.

6. Representing that the Western Bond & Finance Company, or any other collection agency or activity owned, controlled, or conducted by respondents, or any of them, as a means of collecting sums due or alleged to be due from students or their guarantors is an innocent holder for value of the notes or other evidence of such indebtedness given by such students or their guarantors; or using a fictitious name for such collection activities as a means of importing or implying that said evidences of indebtedness are in the hands of an innocent holder for value, when in fact respondents, or any of them, are the beneficial owners of such evidences of indebtedness.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-3717; Filed, May 8, 1945; 11:33 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—War Food Administration (Commodity Exchanges)

PART 0—RULES OF PRACTICE

RULES APPLICABLE TO PROCEEDINGS BEFORE SECRETARY OF AGRICULTURE; REVISION OF DEFINITIONS

By virtue of the authority vested in the War Food Administrator under the Commodity Exchange Act (42 Stat. 998, as amended; 7 U.S.C. 1 et seq.) and Executive Orders 9280, 9322, 9334, and 9392 (7 F.R. 10179; 8 F.R. 3807, 5423, and 14783), Subpart A of Part 0 of Chapter 1 of Title 17, Code of Federal Regulations is amended:

1. By striking § 0.2 (c), (d), and (o) and substituting in lieu thereof the following definitions respectively:

§ 0.2 *Definitions.* * * *

(c) The term "Secretary" means the Secretary of Agriculture, the War Food

Administrator or any person to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in their stead.

(d) The term "Administration" means the Office of Marketing Services, War Food Administration, United States Department of Agriculture.

* * * * *

(o) The term "Director" means the Director of Marketing Services, War Food Administration, United States Department of Agriculture, or any officer or employee of that Administration to whom the Director has heretofore lawfully delegated or to whom the Director may hereafter lawfully delegate the authority to act in his stead.

2. By striking the word "Administrator" wherever it appears in Subpart A and substituting in lieu thereof the word "Director."

ASHLEY SELLERS,
Assistant War Food Administrator.

MARCH 7, 1945.

[F. R. Doc. 45-3710; Filed, Mar. 8, 1945; 11:09 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Revision IX, Feb. 28, 1945]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), The Proclaimed List of Certain Blocked Nationals, Revision VIII of September 13, 1944 and Supplements 1, 2, 3, 4, 5, and 6 thereto, are superseded by the following Revision IX of the List, which is hereby promulgated.[1]

By direction of the President.

JOSEPH C. GREW,
Acting Secretary of State.
HERBERT E. GASTON,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
WILLIAM A. M. BURDEN,
Acting Secretary of Commerce.
LEO T. CROWLEY,
Administrator, Foreign Economic Administration.
WALLACE K. HARRISON,
Deputy Coordinator of Inter-American Affairs.

FEBRUARY 28, 1945.

[F. R. Doc. 45-3685; Filed, Mar. 7, 1945; 12:34 p. m.]

[1] Filed with the Division of the Federal Register in the National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1001—TIN

[General Preference Order M-43, as Amended Mar. 8, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.1 *General Preference Order M-43*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Applicability of order.* Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in the production of any item or article, the limitations of such other order shall be observed.

(c) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any alloy which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1940.

(8) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(9) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(d) *General restrictions on use of tin.* (1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form (including solder containing tin) shall be used in the manufacture of any item or in any process appearing on List A of this order, except as indicated; nor shall tin be used for any purpose except to manufacture the items or for the purposes listed in the schedules of this order and then only within the limitations and restrictions specified in the schedule with respect to such item or purpose.

(e) *Restrictions on the use of certain tin products.* No person shall use any of the tin bearing products on List B of this order in the manufacture or treating of any other product or article except that when any such tin bearing product is listed in a schedule of this order it may be used for the purposes for which it is permitted to be manufactured as specified in the schedule.

(e-1) The restrictions of paragraphs (d) and (e) and of the schedules to this order shall not apply to the manufacture of "Implements of war" produced for the Army or Navy of the United States, U. S. Maritime Commission or War Shipping Administration where the use of tin contrary to those restrictions is required either by the latest applicable specifications, on drawings, or by letter or contract of the government service or agency for which the "Implements of war" are being produced.

(f) *Restrictions on deliveries of pig tin.* (1) No person shall deliver or accept delivery of pig tin without a specific allocation in writing by the War Production Board except that pig tin may be delivered without specific allocation; *Provided, however,* That in the absence of a contrary direction by the War Production Board pig tin may be delivered without specific authorization:

(i) To the Metals Reserve Company or to any other corporation organized under section 5(d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., sec. 606 (b)), or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots of three long tons or less but not exceeding a total of five long tons to any one customer in the same calendar month. The aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed five long tons in any calendar month. Any person seeking such a delivery shall, at the time of placing his purchase order, file with the distributor a statement sub-

stantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose.

The undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the War Production Board during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specified;

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authorization of paragraph (f) of General Preference Order M-43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of any order or regulation of the War Production Board.

(Name of purchaser)

By---
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942) his transactions in all pig tin during the previous month.

(g) *Allocations of pig tin.* The War Production Board will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination and the amount of pig tin to be delivered or acquired. The War Production Board may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for and reports of pig tin.* Application for allocations of pig tin under paragraph (f) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form WPB-412 or such other form as the War Production Board may from time to time prescribe. Any person who on the first day of a calendar month has in his possession or under his control two long tons or more of pig tin or who used during the preceding calendar month, 3,000 pounds or more of pig tin, shall, not later than the 20th day of such month, report to the War Production Board on Form WPB-412 in accordance with the instructions accompanying such form, regardless of whether or not he seeks an allocation of pig tin during the next succeeding month.

(i) (1) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the War Production Board of a sale or delivery of tin, no person shall sell or deliver any tin or tin-bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the terms of this order. A supplier may rely upon the written statement of the customer seeking delivery of any such material, as to the purposes for which it will be used, unless the supplier knows or has reason to believe such statement to be false, and any such statement shall constitute on the part of the person making the same, a representation to the War Production Board within the meaning of section 35 (A) of the United States Criminal Code, 18 U. S. C. Sec. 80.

(2) *Prohibitions on purchases or sales of certain articles containing tin or tin plate on List A.* The use of tin in the manufacture of articles on List A marked with an asterisk has been prohibited since April 30, 1942. The use of tin plate in the manufacture of such articles is restricted by Schedule VI. No person, for the purpose of resale, shall buy or receive from a manufacturer any new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes. After February 28, 1945, no person shall sell or deliver any new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes, except as authorized in writing by the War Production Board. A person who wishes to secure such authorization shall file by letter in triplicate an inventory report of all new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes. For each group of items on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes, the letter shall state the quantities owned by him or in his possession on March 1, 1945, the names and addresses of the sellers from whom the purchases were made, and the date of the purchases. Authorizations will ordinarily be granted except where it appears that the articles were obtained in violation of this paragraph (i) (2). "New article" for the purpose of paragraph (i) (2) means an article which has not been used by an ultimate consumer. A purchaser of new articles for the purpose of resale of the kinds on List A marked with an asterisk may rely on a written certification by his supplier that they contain no tin plate or tin in any form other than solder used for joining purposes, unless the purchaser knows or has reason to believe that the statement is false.

(j) *Limitation on inventories.* No person shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. Forty-five days inventory of pig tin shall, for the purpose of this order, be deemed a practicable working inventory for any person except a manufacturer of tin plate as tin plate is defined in Schedule VI, as from time to time amended.

(k) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals, reports and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., reference: M-43.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 8th day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Pursuant to paragraph (d) (2) and Schedule VI of this order, the use of tin in any form, including semi-finished end products, and of tin plate, in the manufacture of items and for the purposes listed below is prohibited except as indicated; prohibitions against sales or purchases of the articles marked with an asterisk are set forth in paragraph (i) (2) of the order:

*1. Advertising specialties.
*2. Art objects.
3. Automobile body solder, or any similar material commonly used as a filler or smoother for automobile or truck bodies or fenders.
4. Band and other musical instruments (except as permitted in Schedule I under the item "pipe organs", paragraph 11).
*5. Britannia metal, pewter metal or other similar tin bearing alloy.
6. Broom wire.
*7. Buckles.
*8. Buttons.
9. Chimes and bells.
*10. Emblems and insignia.
11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, slide fasteners, dress hooks, snap fasteners, and other clothing fasteners.
12. Foil (except as permitted in Schedule I under the item "foil", paragraph 4).
13. Zinc galvanizing.
*14. Household furnishings and equipment.
*15. Jewelry.
16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule I, paragraphs 6 and 15.
*17. Novelties, souvenirs and trophies.
*18. Ornaments and ornamental fittings.

19. Plating or coating for decorative purposes.
20. Powder (decorative).
21. Refrigerator trays and shelves—all types.
22. Seals and labels.
23. Slot, game and vending machines.
24. Coated paper.
25. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
*26. Toys and games.

LIST B

The following tin-bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies or fenders.
2. Tin oxide and other tin chemicals.
3. Solder containing more than 30% tin by weight.
4. Babbitt metal or similar alloys used as babbitt containing more than 12% by weight of tin.
5. Britannia metal, pewter metal or other similar tin-bearing alloy.
6. Foil containing more than 1% tin by weight.
7. Copper-base alloy containing more than 2% tin by weight.

SCHEDULES

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in these Schedules, subject to any limitations, restrictions or conditions specified with respect to any such items or purpose and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

SCHEDULE I—MISCELLANEOUS

1. *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories but is limited to detonators and blasting caps which are to be used in mining, quarrying, or oil drilling operations. Necessary materials to be incorporated in such detonators or blasting caps shall be exempt from the limitations, conditions and restrictions specified in this schedule with respect to any such material.

2. *Tin plate, terne plate, and terne metal.* Tin plate, terne plate and terne metal, as respectively defined in Schedule VI of this order, may be manufactured as permitted under the provisions of said Schedule VI. Terne metal, however, may be manufactured from secondary tin only.

3. *Collapsible tubes.* The use of tin in the manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M-115, as amended from time to time.

4. *Foil.* In the manufacture of foil the tin content shall be limited as follows, according to the purposes for which it is to be used:

(i) Electrotypers foil—not more than 16% tin by weight.

(ii) Dental foil—not more than 30% tin by weight.

(iii) Foil to be used in condensers—not more than 4½% tin by weight.

(iv) Soft babbit foil for the preparation of industrial metallic packing—not more than 1.5% tin by weight.

(v) Foil to be used in aircraft magnetos—not more than 50% tin by weight.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter shall be limited to 25% of the quantity used by him in the manufacture of foil during the base period.

5. *Dairy equipment.* Tin may be used to coat fluid milk shipping containers which are manufactured within the restrictions and in accordance with the provisions of Conservation Order M-200. Tin may be used to manufacture dairy equipment other than such fluid milk shipping containers, but the total quantity used by any person in the manufacture of such other dairy equipment during any calendar quarter, shall be limited to the quantity used by him for such purposes during the base period. Any dairy equipment may be retinned, *Provided only,* That the amount of tin which any retinner may use during any calendar quarter, for the retinning of dairy equipment, shall be limited to 150% of the quantity used by him for such purposes during the base period.

6. Kitchen, galley and mess equipment for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Forest Service of the United States Department of Agriculture or the Veterans Administration. Tin may be used to coat the foregoing equipment excluding flat ware, to the extent required by the applicable specifications of the service or agency to which such equipment is to be delivered.

7. *Wire—Coating.* Tin or tin alloys may be prepared and used for coating wire only as follows and then, only when specified:

(a) *For copper wire.* There shall be no limitation upon the tin content of the coating alloy when the copper wire to be coated therewith is of a size of .0320" nominal diameter or finer. If the wire to be coated is of size larger than .0320" nominal diameter, the tin content of the coating alloy shall be limited to 12% tin by weight.

(b) *For steel wire.* (i) To be used as armature binding wire.

(ii) To be used in the manufacture of equipment for the production of textiles.

(iii) To be used in the packaging or marking of meat where the wire comes into actual contact with the meat.

(iv) In the liquor finishing process of fine steel bright wire.

8. *Foundry chaplets—Coating.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating foundry chaplets. Tin in no other form may be used for such coating, except as permitted under Schedule VI, as amended.

9. *Printing plates and type metal* for use by the printing, publishing and related service industries. Secondary tin only may be used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, shall be limited to 75% of the quantity of tin used by him for such purposes during the base period.

10. *Dental amalgam alloys.* Tin may be used in the manufacture of dental amalgam alloys but the tin content of any such alloy shall be limited to 30% tin by weight.

11. *Pipe organs for religious and educational institutions.* Tin may be used only in the repair and maintenance of such organs and only where and to the extent that the substitution of a less critical material is impossible.

12. Bolster metal for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Veterans Administration. The tin content of such bolster metal shall not exceed 10% by weight and shall be derived from secondary tin only.

13. *Fusible alloys and dry pipe valve seat rings.* Tin may be used in the manufacture of fusible alloys and dry pipe valve seat rings to the extent required to meet performance specifications with respect to the operation of the product in which such alloy is to be contained.

14. *Lead-base alloys for coating sheet, tube or wire.* Lead-base alloys containing tin may be manufactured and used to coat steel sheet, steel tubes or steel wire provided the tin content of any such alloy does not exceed 2.5% by weight and is not derived from pig tin.

15. *Equipment for preparing and handling food.* In addition to the purposes specified in item (5) of this schedule with respect to dairy products, tin may be used in the manufacture or repair of the following types of equipment, but only to the extent herein indicated:

(i) To coat or to retin articles of equipment used in the processing or handling of meat in the meat-packing industry, to the extent that any such articles come into actual contact with meat. The equipment intended to be covered by this provision includes, but is not limited to: bacon combs, hangers, metal molds, shovels, forks and scoops for handling sausage and cooking utensils.

(ii) To coat or retin utensils, forks, ladles, basting spoons, strainers, skimmers, colanders, and dishpans containing 21 quarts or more used in the processing or cooking of any food by institutions or by industrial or commercial establishments. (Each retailer of any of the above items shall furnish his supplier with a certification on his purchase order that he will sell such items only to institutions and industrial and commercial establishments and all suppliers shall require such certifications on all purchase orders from retailers. Suppliers must not sell such items to any users thereof except institutions and industrial or commercial establishments.)

16. Tin pipe and sheet tin for lining for use in the repair or maintenance of beverage dispensing units and parts thereof. Tin pipe and sheet tin may be manufactured only for use in the repair or maintenance of beverage dispensing units and parts thereof, provided that any customer for whom such pipe or sheet tin is manufactured shall return to the manufacturer a quantity of used pipe or scrap tin equal in tin content to that of the new pipe or sheet tin delivered to him.

17. *Descaling of metal castings.* Tin may be used in descaling of metal castings to the extent specifically authorized by the War Production Board upon application made to it by letter.

18. *Tin and tin chemicals.* Pig tin may be reprocessed for use as laboratory reagents and may be used in the manufacture of tin chemicals for use as such reagents, for medicinal purposes and also for use in plating processes where tin plating is permitted.

SCHEDULE II—SOLDERS

(a) No manufacturer or wholesale distributor shall sell or deliver any solder to a wholesale distributor or retailer and no wholesale distributor or retailer shall purchase or accept delivery of any solder unless the purchaser has given to the seller a statement that he will not resell the solder to a user without obtaining from the user the certificate called for below. No manufacturer, wholesale distributor or retailer shall sell or deliver any solder to a user and no user shall purchase or accept delivery of any solder from a manufacturer, wholesale distributor or retailer unless the user has given to the seller the certificate called for below. However, if the solder is in wire form, solid or cord, not to exceed 5/32 inch in diameter and contains not more than 30% of tin by weight, any person

may sell or deliver it to a wholesale distributor or retailer without getting any statement from him and the retailer may sell it to a user without getting any certificate from him.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule II, section ____ of General Preference Order M-43, or is to be incorporated in an "Implement of war" and the tin content of the material has been definitely specified in accordance with paragraph (e-1) of this order.

(b) In the manufacture of solder, the tin content by weight shall be limited as follows, according to the purpose for which it is to be used:

1. Manufacture of all cellular type radiators—solder per radiator shall average not more than 21% tin by weight.

2. Manufacture of all fin and tube type radiators for military and civilian use—solder per radiator shall average not more than 32% tin by weight.

3. Solder containing not more than 50% tin by weight may be used for the following:

(a) Ammunition box liners.

(b) Manufacture, maintenance and repair of refrigeration equipment, not including, however, coating such equipment or soldering the seams of ice cans.

(c) Manufacture, maintenance and repair of radio and radar equipment.

(d) Manufacture and repair of any type of indicating, recording, measuring or controlling instruments and their associate control valves, excluding manufacture and repair of gas meters which are provided for in paragraph (5) (g) and Schedule V.

4. Solder containing not more than 40% tin by weight may be used for the following:

(a) Manufacture and repair of all galvanized iron or zinc tanks.

(b) Installation and repair of water service pipes connecting the piping of a structure with the outside water main.

5. Solder containing not more than 35% tin by weight may be used for the following:

(a) All radiator repair, but only in the form of solid or cored wire solder not to exceed 5/32" in diameter.

(b) Manufacture and repair of tanks (except galvanized and zinc tanks). (Solder containing not more than 38% tin by weight may be used in the manufacture and repair of fuel tanks of more than 20 gallon capacity.)

(c) Manufacture and repair of dairy ware and dairy equipment where solder comes in contact with products.

(d) Manufacture, assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron."

(e) Manufacture, maintenance and repair of electric motors, generators, armatures, electrical equipment and appliances.

(f) Manufacture of electrical fuses.

(g) Manufacture of gas meters.

(h) Wiping lead sheathed cable joints or lead pipe joints.

(i) Manufacture or repair of lap and top combs, and other equipment used in the textile industry.

(j) Manufacture of foundry patterns and for soldering patterns to the gates.

(k) Manufacture and repair of the following dairy and egg processing equipment: cheese vats, clarifiers, separators, coolers, heaters and preheaters, dehydrators, fillers, filters, fore-warmers, hot wells, homogenizers and high pressure sanitary pumps, pasteurizers, sanitary centrifugal and positive pumps, vacuum pans and sanitary pipe lines in connection with soldering on sanitary ferrules and fittings.

6. Solder containing not more than 21% tin by weight may be used for the following:

(a) Sealing of milk cans. (Solder used for this purpose is commonly referred to as "tipping solder".)

(b) [Deleted Mar. 8th, 1945.]

7. Solder containing not more than 5% tin by weight may be used for the following:

(a) For soldering side seams in the manufacture of cans made with either lock or lap side seam or with a combination of lock and lap side seam.

NOTE: Paragraph 8 formerly 9 redesignated Mar. 8th, 1945. Paragraph 9 formerly the final unlettered paragraph of Schedule II.

8. Solder containing not more than 30% tin by weight may be used for the following:

(a) All other uses not covered above and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

9. The total quantity of tin, which any person may use in the manufacture of solder during any calendar quarter, shall be limited to 40% of the quantity used by him in the manufacture of solder during the base period. The tin content of all solder used in the manufacture of "Implements of War", where required by specifications, is wholly exempt from this quota restriction.

SCHEDULE III—BABBITT

(a) No manufacturer or wholesale distributor of babbitt shall deliver any babbitt containing more than 12% tin by weight to any wholesale distributor of babbitt and no wholesale distributor of babbitt shall accept delivery from a manufacturer or a wholesale distributor unless he shall have furnished the manufacturer or other wholesale distributor with a statement on his purchase order to the effect that he will not resell such babbitt containing more than 12% tin by weight to any user unless he has received the certificate from such user set forth below. No manufacturer of babbitt or wholesale distributor of babbitt shall deliver any babbitt containing more than 12% tin by weight to any user and no user shall accept delivery of any babbitt containing more than 12% tin by weight from any manufacturer of babbitt or wholesale distributor of babbitt unless the user shall have furnished the manufacturer or wholesale distributor with the certificate set forth below.

No manufacturer of finished bearings containing babbitt metal of more than 12% tin by weight shall deliver such bearings to any user and no user shall accept delivery of such bearings from the manufacturer unless the user shall have furnished the manufacturer with the certificate set forth below.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code to the seller and to the War Production Board, that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule III, section — of General Preference Order M-43, or is to be incorporated in an "Implement of war" and the tin content of the material has been definitely specified in accordance with paragraph (e-1) of said Order M-43.

(b) In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited as follows, according to the purpose for which it is to be used:

1. Repair, maintenance or replacement in existing diesel engines, turbines, locomotive connecting rod or coupling rod bearings, and irrigation water pumping engines and equipment—not more than 90% tin by weight.

2. Manufacture, repair, maintenance or replacement of multivane crosshead linings in locomotives and for lining aluminum crossheads—no restriction.

3. Repair, maintenance or replacement in an industrial engine, compressor, or pump being used by operator engaged in the petroleum industry: *Provided*, In any such case, that any priorities assistance required for such repair, maintenance or replacement is obtained in accordance with Preference Rating Order P-98-b, as amended—not more than 90% tin by weight.

4. Repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission—not more than 90% tin by weight.

5. Manufacture, repair, maintenance or replacement of connecting rod and main engine bearings for trucks and tractors, and for passenger carriers having a seating capacity of not less than 11 persons as defined in Limitation Order L-158—not more than 90% tin by weight and then only to the extent that substitution of either a less critical material or one of lesser tin content has been proven impracticable in service.

6. For all other purposes—not more than 12% tin by weight, and then only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable. Only secondary tin shall be used.

7. The total quantity of tin which any person may use in the manufacture of babbitt metal, or other similar alloys used as babbitt, during any calendar quarter shall be limited to 40% of the quantity used by him in the manufacture of babbitt during the base period. The tin content of all babbitt used in the manufacture of "Implements of war", where required by specifications, is wholly exempt from this quota restriction.

SCHEDULE IV—BRASS AND BRONZE

A. CAST ALLOYS

(1) *Restrictions on new uses of copper-base alloy foundry products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper-base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, sub-contract or purchase order call for an alloy with a higher copper or tin content, or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this sub-paragraph to use copper-base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25, D. C., Ref: M-9-c. A provision similar to this paragraph (1) appears in Order M-9-c and one application is sufficient under both Orders M-9-c and M-43.)

(2) *General restrictions.* In any case where the tin content of brass or bronze foundry products used by a person is not restricted by the provisions of paragraph (1) of this Schedule IV, the tin content of the

brass and bronze foundry products which he uses shall be limited as follows, according to the purpose for which such products are used:

(a) For the manufacture of high ratio worm gears, fire engine pump gears, jack nuts, feed nuts, elevating nuts, thrust washers or disks, machine tool spindle bearings, hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings or step bearings—not more than 12% tin by weight.

(b) For the manufacture of heavy, slow cooling castings (such as, for example, steel mill screw-down nuts) where the performance characteristics require that the alpha-delta eutectoid must be retained—not more than 18% tin by weight.

(c) For the manufacture of piston rings for airbrake equipment—not more than 21.5% tin by weight.

(d) For the manufacture of piston rings for locomotives—not more than 20% tin by weight.

(e) For all other purposes, a maximum tin content of 9% tin by weight, unless the lead content of the alloy is equal to, or greater than, the tin content, and in such event, not to exceed 12% tin by weight.

B. WROUGHT ALLOYS

(3) *Restrictions on new uses of wrought copper-base alloy products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any wrought copper-base alloy product, containing more than 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper-base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher tin content;

(iii) The specifications of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, applicable to the contract, subcontract or purchase order call for an alloy with a higher tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher tin content. (Applications for specific authorization under this sub-paragraph to use wrought copper-base alloy products containing more than 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Tin, Lead and Zinc Division of the War Production Board, Washington 25, D. C., Ref: M-43.)

(4) *General restrictions.* In any case where the tin content of wrought brass or bronze products used by a person is not restricted by the provisions of paragraph (3) of this Schedule IV, the tin content of the wrought brass and bronze products which he uses shall be limited as follows, according to the purpose for which such products are used:

(i) For the manufacture of thermostatic discs or diaphragms, bronze welding rods, fourdrinier warp wire or rifle nuts in air hammers—not more than 9% tin by weight.

(ii) For all other purposes—not more than 5.8% tin by weight.

SCHEDULE V—USE OF TIN TO REPAIR GAS METERS

(a) *Restrictions on use of tin.* Solder containing not more than 38% tin by weight may be used for the repair of gas meters. The solder and other tin alloys used in such repair must be derived from alloys reclaimed from old meters brought in for repair or salvage.

SCHEDULE VI—TIN PLATE, TERNE PLATE AND TERNE METAL

(a) *Definitions.* For the purposes of this schedule:

(1) "Tin plate" means steel sheets coated with tin (including primes, seconds, and waste-waste) and includes:

(i) "Electrolytic tin plate," in which the tin coating is applied by electrolytic deposition, and

(ii) "Hot dipped tin plate," in which the tin coating is applied by immersion in molten tin.

(2) "Terne plate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste) and includes:

(i) "Short ternes," meaning steel sheets coated with terne metal on tin mill coating machines, and

(ii) "Long ternes," meaning steel sheets coated with terne metal on sheet mill coating machines.

(3) "Reconditioned tin plate or terne plate" means damaged tin plate or terne plate which has been put into useable condition by recoating.

(4) "Terne metal" means the lead-tin alloy used as the coating for terne plate, but does not include lead recovered from secondary sources which contains not more than 2½% residual tin.

(5) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(b) *Restrictions on use of tin plate and terne plate.* Except to the extent specified in List C:

(1) No person shall use tin plate or terne plate in the production of any item or part thereof.

(2) No person shall use hot dipped tin plate with a pot yield in excess of 1.25 pounds per base box except in gauges heavier than 112 pounds per base box, which have been coated with the minimum practicable weight of tin.

(3) No person shall use electrolytic tin plate with a coating (as determined by average spot coating tests) in excess of .50 pound per base box.

(4) No person shall use short ternes with a pot yield in excess of 1.30 pounds per base box.

(5) No person shall use long ternes with a pot yield in excess of 4 pounds per base box.

(c) *Restrictions on use of terne metal.* (1) No person shall use terne metal containing over 15% tin in tin mill coating machines.

(2) No person shall use terne metal containing over 10% tin in sheet mill coating machines.

(d) *Restrictions on production, sale and delivery of tin plate and terne plate.* No person shall produce, sell, or deliver tin plate or terne plate to or for the account of any person if he knows or has reason to believe that such material will be used in violation of the terms of this order or any other or further order or direction of the War Production Board.

(e) *Exceptions.* The provisions of paragraph (b) shall not apply to the materials listed in List D, except that no person shall use such materials in the production of (1) any items, or parts thereof, other than those items in the production of which iron or steel is permitted by other existing or future orders of the War Production Board or (2) any article on List A of this order, except as indicated therein.

(f) *Substitution of material with lower tin content.* Wherever List C permits use of tin plate or terne plate in any grade, tin plate or terne plate coated with less tin per base box may be used.

(g) *Applicability of other orders.* Insofar as any other order of the War Production Board may have the effect of limiting to a greater extent than herein provided the use of any material in the production of any item, the limitation of such order shall be observed.

NOTE: List C amended Mar. 8, 1945.

LIST C

Permitted use	Permitted materials	Maximum permitted coating of tin or of terne metal (per single base box)
1. Cans	As specifically authorized by or pursuant to Conservation Order M-81 as amended.	
2. Closures	As specifically authorized by or pursuant to Limitation Order L-103-b, as amended.	
3. Baking pans for institutions and commercial bakers (Each retailer of such pans shall furnish his supplier with a certificate on his purchase order that he will sell such pans only to institutions and commercial bakers and all suppliers shall require such certifications on all purchase orders from retailers. Suppliers must not sell such pans to any users except institutions and commercial bakers).	Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	1.25 lbs. per base box. 0.50 lb. per base box.
4. Brushes, power driven	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
5. Carbide non-explosive emergency lights	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
6. Chaplets, skimgates and tin forms for foundry use	Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	1.25 lbs. per base box. 0.50 lb. per base box.
7. Cheese vats	Short ternes Long ternes Reconditioned terne plate Hot dipped tin plate Reconditioned tin plate	1.30 lbs. per base box. 4 lbs. per base box. 11 lbs. per base box.
8. Component parts for: Internal combustion engines including air cleaners, cooling systems, fuel systems, and lubricating systems, but only where less essential material is impractical because of corrosion for solderability.	Short ternes Long ternes Reconditioned terne plate	1.30 lbs. per base box. 4 lbs. per base box.
9. Cylinder liners for lard and fruit presses	Hot dipped tin plate	1.25 lbs. per base box.
10. Dairy ware and equipment, including dairy pails, milk strainer pails, hooded milking pails, milk kettles, setter or creams cans, weigh cans, measures and test ware, bottle conveyors, ice cream freezers, milk filters, receiving tanks, separators, strainers, upper and lower troughs and covers for surface type heaters and coolers, and testing equipment.	Hot dipped tin plate Electrolytic tin plate Reconditioned tin plate	3.30 lbs. per base box (2A charcoal). 0.50 lb. per base box.

LIST C—continued

Permitted use	Permitted materials	Maximum permitted coating of tin or of terne metal (per single base box)
11. Diamond cutting wheels	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
12. Dusters and sprayers, hand, for disinfectant and pest control: parts requiring solderable coatings.	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
13. Electrical equipment parts requiring solderable coatings.	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
	Electrolytic tin plate	0.50 lb. per base box.
14. (a) Fuel tanks, except for automotive equipment	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
(b) Fuel tanks, for automotive equipment	Short ternes	1.30 lbs. per base box.
	Long ternes	6 lbs. per base box.
	Reconditioned terne plate	
15. Gas mask canisters	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
16. Gas meters	Hot dipped tin plate	3.30 lbs. per base box. (2A charcoal).
	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
17. Heat exchangers	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
18. Integral parts of signal cells—but only for current collectors and baskets.	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
19. Lining of drying chambers for milk and egg dehydration.	Hot dipped tin plate	11 lbs. per base box.
	Reconditioned tin plate	
20. Maple syrup evaporators	Hot dipped tin plate	11 lbs. per base box.
	Reconditioned tin plate	
21. Oilers (excluding cans as defined by Order M-81)	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
22. Oil lanterns	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
23. Safety cans for inflammable liquids	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
24. Textile spinning cylinders, card screens, spools and bobbins.	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
25. Torpedoes for oil and gas well shooting	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
	Hot dipped tin plate	1.25 lbs. per base box.
26. Vaporizing liquid fire extinguishers	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
27. Wick holders for oil stoves	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
28. Closures for steel drums	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lb. per base box.
	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
29. Repair parts for domestic laundry equipment	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
30. Articles to be purchased by or for the account of the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration and the Veterans Administration.	As specified (including performance specifications).	

LIST D

1. Hot dipped tin plate waste-waste.
Electrolytic tin plate waste-waste.
Short terne waste-waste.

2. Hot dipped tin plate, electrolytic tin plate, and terne plate where total annual consumption of all these grades does not exceed 100 base boxes.

[F. R. Doc. 45-3750; Filed, Mar. 8, 1945; 11:46 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 32, as Amended Mar. 8, 1945]

CARBON BLACK

§ 3293.1032 *Schedule 32 to General Allocation Order M-300*—(a) *Definitions.* (1) "Carbon black" means furnace type carbon black and channel type carbon black as defined herein. The term does not include lampblack, acetylene black, animal black, or vegetable black.

(2) "Furnace type carbon black" means the pigment produced by the thermal decomposition of hydrocarbons in a furnace. The term includes but is not limited to those blacks known commercially as high modulus (HMF), semi-reinforcing (SRF), fine thermal (FT), and medium thermal (MT).

(3) "Channel type carbon black" means the pigment produced by the impingement of a flame (burning natural gas) against a channel and weighing, when packed, 17 pounds or more per cubic foot. The term includes but is not limited to those blacks known commercially as easy processing (EPC), medium processing (MPC), and hard processing (HPC).

(b) *General provisions.* Carbon black is subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is November 1, 1942, for furnace type carbon black, previously allocated under Allocation Order M-244 (revoked), and for Channel type carbon black the initial allocation date is August 1, 1944. The allocation period is the calendar month. A customer may purchase an aggregate quantity of 100 pounds or less of carbon black per month from all suppliers without restrictions, must furnish use certificates with each order when seeking delivery of between 100 and 20,000 pounds per month from all suppliers, and must file on Form WPB-2945 for more than 20,000 pounds per month from all suppliers.

(c) *Special provisions.* All stocks of carbon black are subject to this schedule, notwithstanding the "consumers' stocks" exemption in paragraph (n) of Order M-300.

(d) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is March 15 for applications for delivery in April, 1945. Thereafter, the filing date is the 5th of the month preceding the proposed delivery month. Send three copies (one certified) to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-32. The unit of measure is pounds. Fill in Tables I and II as indicated.

(e) *Customers' applications on WPB-2945.* Each person seeking authorization to use or accept delivery of more than 20,000 pounds of carbon black per month from all suppliers, shall file application for authorization on Form WPB-2945 (formerly PD-600). The filing date is March 10 for applications to accept delivery in April, 1945. Thereafter the filing date is the 1st of the month preceding the requested allocation month. Send three copies (one certified) to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-32, one copy (reverse side blank) to the supplier, and retain one copy. Separate sets of forms should be filed for each different grade and type of carbon black, and separate sets should be submitted for each delivery destination of applicant.

In the heading, specify carbon black under "Name of chemical", and under "for month of", specify the calendar month for which the allocation is requested. The unit of measure is pounds.

In Column 1 specify brand name, and also the type or grade of carbon black, viz: HMF, SRF, FT, MT, EPC, MPC, or HPC, whichever is the case.

In column 3 specify primary product in terms of the following:

Rubber compounding
Other primary products (specify)
Export (as carbon black)
Resale (as carbon black)
Inventory (as carbon black).

In column 4 opposite "Rubber compounding" appearing in Column 3, specify the end use pattern in terms of the following code numbers, giving the pounds of carbon black requested for each different code number. For all other primary products, specify exact end use.

Use	War (code number) [1]	Civilian (code number) [2]
Passenger tires	20	50
Truck and bus tires	21	51
Farm tractors & implement tires	22	52
Tank blocks, treads & tracks	23	------
Solids, industrial & truck solids and bogie wheels	24	54
Bicycle tires	25	55
Airplane tires	26	56
Passenger type camelback	27	57
Truck & bus camelback	28	58
Tire tubes	29	59
Tires & tube repair material	30	60
Belting	31	61
Hose and tubing	32	62
Packing and gaskets	33	63
Other mechanical goods	34	64
Wire and cable	35	65
Footwear	36	66
Heels	37	67
Soles	38	68
Curing bags	39	69
Proofing, clothing and fabrics	40	70
Drug sundries	41	71
Bullet sealing fuel cells	42	------
Life rafts, boats, vests	43	------
Miscellaneous	44	73

[1] "War Code Number" means that the particular carbon black is to be incorporated into products to be delivered to the Army, Navy, Coast Guard, Maritime Commission, or to or for the account of any foreign country under the Act of March 11, 1941 (Lend-Lease Act).
[2] "Civilian Code Number" means any end use not identified by a "War Code Number".

In Column 10, opposite each end use, specify the total pounds of rubber hydrocarbon to be used with the amount of carbon black requested for that end use. Reclaimed rubber should be calculated on the basis that it contains 50% hydrocarbon.

References to months in the headings throughout WPB-2945 applications filed April 1, 1945 and thereafter, shall be specified as shown by the following illustrations:

Application due	Table I	Table II		Table III
		Cols. 13-15	Cols. 15a-16	
April 1st	May data	February data	March data	May data.
May 1st	June data	March data	April data	June data.
June 1st	July data	April data	May data	July data.
etc.	etc.	etc.	etc.	etc.

In Table II show receipts, disposition and stocks of all types of carbon black (as defined in paragraphs (a) (2) and (3) of this order); not just those types for which the application is made.

Fill in Table III and indicate the particular calendar month in the blank space in the heading of the table.

Do not fill in Table IV.

Table V should be filled in as indicated below, but only on the copy of the form that is sent to War Production Board. In Column 23, specify second and third choices of suppliers, if any, in case sufficient material is not available for allocation from the preferred supplier.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of between 100 and 20,000 pounds of carbon black per month in the aggregate from all suppliers shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. Describe proposed end use in the same manner as described in paragraph (e) above. Certified end use statements shall be filed with the supplier not later than March 10 for requested deliveries in April, 1945, and thereafter not later than the first of the month preceding the requested delivery month.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* All reports filed hereunder and all communications concerning this schedule, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-32.

Issued this 8th day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3749; Filed, Mar. 8, 1945; 11:46 a. m.]

PART 3900—SPECIAL ORDERS APPLICABLE TO THE TERRITORY OF HAWAII

[Territory of Hawaii Order THO-4, as Amended Mar. 8, 1945]

LIMITATIONS AS TO PRIORITIES ASSISTANCE

Territory of Hawaii Order THO-4 is amended to read as follows:

The war requirements of the United States have created a shortage of materials and equipment within the Territory of Hawaii, and for the purpose of controlling and conserving the supply of such materials and equipment it is deemed appropriate and necessary in the public interest and for the promotion of national defense to make certain additional provisions for the assignment of preference ratings to contracts, orders for deliveries and rules providing for a uniform method of application and extension of preference ratings within the Territory of Hawaii. Therefore, the following order is issued:

§ 3900.4 *Territory of Hawaii Order THO-4*—(a) *Definitions.* (1) "Person" means any person, firm, association or corporation residing in or doing business within the Territory of Hawaii.

(2) "Purchase order" means any purchase order, contract or document which calls for the sale, transfer or delivery of material or equipment.

(3) "Material or equipment" means all material and equipment, the supply, sale, distribution, use, transfer, assemblage, manufacture, or delivery of which is controlled specifically by any order or regulation of the War Production Board heretofore or hereafter issued including the orders and regulation of the War Production Board issued for the territory of Hawaii.

(4) "Rating" means the following War Production Board preference ratings listed in order of preference, to-wit:

AAA, AA-1, AA-2, AA-2X, AA-3, AA-4, AA-5.

(5) "Blanket rating" means preference ratings assigned to a certain class of persons for definite purposes by War Production Board orders or regulations such as for maintenance, repair or operating supplies. Examples are those preference ratings assigned by CMP Regulations 5, 5A, and 9A.

(b) *Orders for mainland procurement must be presented to Honolulu District Office for authentication.* Despite what any War Production Board order may provide to the contrary all rated purchase orders and all purchase orders bearing War Production Board allotment numbers or symbols which purchase orders have their origin within the Territory of Hawaii and call for delivery to the Territory of Hawaii of material or equipment must initially be presented to the Honolulu District Office of the War Production Board for authentication; and no material or equipment hereafter brought into the Territory of Hawaii can be used, processed, assembled, distributed, sold or otherwise disposed of unless the purchase order or other document upon which such material or equipment was acquired from the mainland shall have been authenticated by the Honolulu District Office of the War Production Board. Each such purchase order, when approved, shall be authenticated by imprinting thereon a facsimile of the signature of the Regional Director of the War Production Board, Region 10, together with the case number prefixed by the letters TH-A, TH-E, or TH-, followed by serial numbers. Example: "J. A. Folger, Regional Director of the War Production Board, Region 10, TH-A, 1234."

(c) *Orders for local procurement on blanket ratings must be presented to Honolulu District Office for authentication.* Blanket ratings may not be applied or extended within the Territory of Hawaii unless the purchase order which purports to apply or extend such rating shall have first been submitted for authentication to the Honolulu District Office of the War Production Board, as shown in paragraph (b) of this order.

(d) *Special procedure for Army and Navy orders.* Purchase orders bearing ratings assigned by the Army and Navy need not be authenticated as required by paragraphs (b) and (c) of this order, provided that a copy of all purchase orders which apply or extend such ratings must be forwarded to the Honolulu District Office of the War Production Board within one day after issuance.

(e) *Small orders excepted.* Purchase orders calling for the delivery of materials or equipment amounting to $50.00 or less need not be authenticated by or forwarded to the Honolulu District Office of the War Production Board as required by paragraphs (b), (c), and (d) of this order, provided that no purchase order may be subdivided for the purpose of coming within the exception of this paragraph.

(f) *Special information required on purchase orders applying or extending ratings within the Territory of Hawaii.* All purchase orders which are rated pursuant to special authorization granted by the War Production Board, Honolulu District Office, which are placed with suppliers within the Territory of Hawaii in addition to the certifications required by other War Production Board orders or regulations, shall bear the symbol of the War Production Board from which was used to obtain the rating applied or extended, the Honolulu District Office case number and the date of authorizationo. Example: "PD–1–A, TH–1–000, AA–5, December 17, 1944" or PD–200, TH–5–000, AA–2, January 20, 1945".

(g) *Honolulu preference ratings are invalid outside of the Territory of Hawaii.* No preference rating assigned by the Honolulu District Office of the War Production Board may be applied or extended outside of the Territory of Hawaii unless the purchase order or other document upon which such preference rating is applied of extended shall first have been authenticated by the Honolulu District Office pursuant to paragraph (b) of this order. The restrictions of this paragraph shall apply to all such purchase orders regardless of value.

(h) *Hawaiian suppliers may not honor ratings which do not conform to this order.* No supplier within the Territory of Hawaii may honor as a rated purchase order for materials or equipment any purchase order which does not conform with the provisions of paragraph (b), (c) or paragraph (e) of this order.

(i) *No allotment symbols required in the Territory of Hawaii.* Regardless of the provisions of any other order or regulation of the War Production Board, no allotment number or symbol need be placed upon purchase orders originating within and directed to suppliers within the Territory of Hawaii, except that all purchase orders for materials and equipment for which a rating is required by any War Production Board orders or regulations, including controlled materials, must be rated as such orders or regulations require.

(j) *Violations.* Any person who wilfully violates any provision of this order, or, who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining any further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Hawaii Regulation 10 superseded.* This order supersedes Hawaii Regulation No. 10 issued February 4, 1944; *Provided, however,* Liabilities incurred under such regulation prior to the effective date of this order are not affected.

Issued this 8th day of March 1945.

WAR PRODUCTION BOARD,
By JAMES F. MCINDOE,
Regional Priorities Manager,
Region No. 10.

[F. R. Doc. 45–3747; Filed, Mar. 8, 1945; 11:46 a. m.]

PART 3900—SPECIAL ORDERS APPLICABLE TO THE TERRITORY OF HAWAII

[Territory of Hawaii Order THO–5, Amdt. 1]

TRANSFERS OF BUILDING MATERIALS AND EQUIPMENT

Territory of Hawaii Order No. 5 is amended as follows:

1. In paragraph (a) strike the comma after "Schedule A" and insert "and B,"

2. In paragraph (b) strike: "CMP Regulation 5, CMP Regulation 5–A or CMP Regulation 9–A" and insert instead: "CMP Regulation 5 or CMP Regulation 5–A"; change "Schedule A" in the same paragraph to "Schedule B".

3. Delete paragraph (c) (3) and insert a note: "Deleted March 8, 1945."

4. Add the following subparagraph (5) in paragraph (c):

(5) "Screen cloth, metal and/or plastic" means a fabric of woven wire or metal or a fabric of plastic designed and constructed primarily for installation in an opening or passageway of a building or structure for the purpose of preventing the entrance of insects.

5. Delete paragraph (d) and insert the following note: "Deleted March 8, 1945."

6. Strike Schedule A in its entirety and insert instead the following two new schedules:

SCHEDULE A

Cast iron pipe and fittings, including Durham type.
Galvanized sheet iron.
Insect screen cloth, metal and/or plastic.
Plumbing fixtures.
Paving Asphalt.
Emulsified bitumens.

SCHEDULE B

Asphalt shingles.
Concrete reinforcing bars.
Galvanized iron pipe.
Masonite, hardboard, pressed board and asbestos cement board.
Welded wire concrete reinforcing fabric.

Issued this 6th day of March 1945.

WAR PRODUCTION BOARD,
By JAMES F. MCINDOE,
Regional Priorities Manager,
Region No. 10.

Confirmed:

J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–3748; Filed, Mar. 8, 1945; 11:46 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 96]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Section 18.2 is amended to read as follows:

SEC. 18.2 *Records required.* (a) Every Group II institutional user shall keep a record for each establishment showing by calendar months, the total number of persons served.

(b) Every institutional user (other than a Group I and II user) shall keep records, for each establishment or group of establishments, showing for each allotment period.

(1) The total number of persons served;

(2) The number of persons served refreshments only;

(3) The number of persons served meals.

In addition, a Group III user shall maintain records of

(4) The combined gross dollar revenue from meal services and services of refreshments only (dollar revenue from alcoholic beverages is not included);

(5) The gross dollar revenue from services of refreshments only (dollar revenue from alcoholic beverages is not included);

(6) The gross dollar revenue from meal services.

(c) An institutional user is deemed to comply with the provisions of paragraph (b) if he keeps records in one of the following ways:

(1) A record showing for each day during the allotment period, the items described in paragraph (b);

(2) A record showing for each day during a representative full week in each allotment period, the items described in paragraph (b), and a record for the allotment period of total persons served, and, in the case of a Group III user, total dollar revenue. He obtains the figures for the allotment period in the following way:

(i) He determines the percentage of persons served meals and persons served refreshments and, in the case of a Group III user, the percentages of dollar revenue for each type of service in the representative week;

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16786. 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

(ii) He applies the percentages obtained in (i) to the total persons served, and in the case of a Group III user, to his total dollar revenue, for the allotment period. The results are his figures for that period.

(3) A record showing, for each day during a representative full week in each allotment period, all the items described in paragraph (b), a determination of his "average check" during that week, and a record of total dollar revenue for the entire allotment period. (His "average check" is the figure obtained by dividing the total dollar revenue by the total persons served in the representative week). He obtains the figures for the allotment period in the following way:

(i) He divides his total dollar revenue for the allotment period by his "average check". The result is his total persons served for the allotment period;

(ii) He determines the percentage of persons served meals and persons served refreshments and the percentage of dollar revenue for each type of service in the representative week;

(iii) He applies the percentage obtained in (ii) to his total persons served and total dollar revenue for the allotment period. The results are his figures for the allotment period.

NOTE: The method described in (3) is applicable only to Group III institutional users.

(d) Every institutional user who will use the methods described in (c) (2) or (3) must notify the Board of the method and week selected when he applies for his allotment for the first period in which he will use one of these methods. He must use the method described in (c) (1) until he has so notified the Board. (A user who commences operations after March 1, 1945, may not use the methods described in (c) (2) or (3) with respect to allotments received under section 13.3 (d).) A user who will use the methods described in (c) (2) or (3) must, in each subsequent allotment period, use the same method for keeping records. The representative full week in each subsequent allotment period shall be the week corresponding to the week so selected. If the Board finds the week so selected is not representative of his operations, it may select another week as representative, which he must use instead. If the Board finds that, because of the nature of the user's operations, no week can be properly considered representative, the user may not use either of the methods described in paragraph (c) (2) or (3).

(e) An institutional user may apply to the Board on OPA Form R–315 for permission to use a method other than those described in paragraph (c). His application must describe the method proposed. If the method is one involving a representative full week, less than once in each allotment period, and if the Board finds that for two or more allotment periods the difference between the percentage of his refreshment services as compared with his total services is less than five percent (5%), it may authorize him to use a method involving a single representative week to cover more than one such allotment period but in any event not less than three times in any year. If an institutional user applies for permission to use any other method, the Board may not act on such application but must forward it to the District Office. The District Office shall send the application, through the Regional Office to the Washington Office for decision, or take such other action as the Washington Office may direct.

(f) A Group IV user operating an establishment on board a ship, boat, tug or barge is not required to keep, for that establishment, the records described in paragraph (b).

(g) An institutional user who has no meal service base is not required to keep the records described in paragraph (b). He must, however, keep a record of the amount of rationed food he acquired in each allotment period.

This amendment shall become effective March 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–3730; Filed, Mar. 8, 1945; 11:35 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 98]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new section 26.2 is added to read as follows:

SEC. 26.2 *Allotments for employers feeding imported laborers.* (a) Regardless of any other provision of this order, any person who in the conduct of his business is about to feed rationed foods to laborers brought into the Continental United States by a Federal government agency for the sole purpose of performing agricultural or other labor, may apply for allotments of rationed foods. However, institutional users may not apply for allotment under this section.

(b) Application must be made on OPA Form R–315 to the board for the area in which the applicant's business is located. The application must state:

(1) The name, business and business address of the applicant;

(2) The number of such employees he will feed, the number of days on which he will feed them, and the number of meals (i. e. 1, 2, or 3) per day, during the allotment period; and

(3) The kinds of rationed foods which he will require.

(c) If the board finds that the applicant needs an allotment of rationed food for the purpose described in paragraph (a), it shall grant him an allotment for each rationed food required. That allotment shall be computed by multiplying the number of such laborers which it finds he will feed during the allotment period by the number of days on which he will feed them, by the number of meals per day. The result is multiplied by the allowance per person fixed in Supplement 1, paragraph (c) for each rationed food.

(d) Applications under this section may be made for subsequent allotment periods if such laborers are hired for more than one allotment period.

(e) Within ten (10) days after the end of the allotment period, he must report to the board the number of such laborers fed by him during that period. If the number is less than the board estimated he would serve, the difference shall be multiplied by the allowance per person for each rationed food and ration evidences equal to the result obtained must be surrendered to the board in accordance with such arrangement as may be made with the board.

(f) A person who feeds such laborers must apply under this section and not under section 26.1, for allotments to feed such laborers, even though he feeds them for a period of less than sixty days.

This amendment shall become effective March 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–3731; Filed, Mar. 8, 1945; 11:36 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 94]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (11) is amended to read as follows:

(11) "Grade I tire" means a tire other than one included within the definition of a Grade II or Grade III tire.

2. Section 1315.201 (a) (12) is added to read as follows:

(12) "Grade II tire" meaens:

(i) A used truck tire;

(ii) A new truck tire which, before transferring to a dealer or consumer, the manufacturer has found to need a reliner, a sectional repair, or a complete

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

[1] 7 F.R. 9160, 9392, 9724.

or partial new tread in order to be made serviceable, and upon which he has prominently branded the word "reject"; or

(iii) A new truck tire held for sale by a dealer which a District Director has authorized to be reclassified as a Grade II tire after a finding by an OPA Tire Examiner that the tire is in such condition that it cannot reasonably be sold on a Grade I tire certificate. The District Director's authorization shall be sent to the dealer who requested the reclassification. It shall describe each tire being reclassified as Grade II by size, type and serial number.

3. Section 1315.201 (a) (13) is amended to read as follows:

(13) "Grade III tire" means:

(i) A used passenger, tractor-implement or industrial-type tire;

(ii) A new passenger tire which the manufacturer, before transferring to a dealer or consumer, has found to need a reliner, a sectional repair, or a complete or partial new tread in order to be made serviceable, and upon which he has prominently branded the word "reject";

(iii) A new passenger tire transferred or in transit to a dealer prior to March 12, 1945, which the manufacturer found to need a reliner, a sectional repair, or a complete or partial new tread in order to be made serviceable and upon which the manufacturer placed a special identifying mark or from which he removed the brand name;

(iv) A new passenger tire held for sale by a dealer which a District Director has authorized to be reclassified as a Grade III tire after a finding by an OPA Tire Examiner that the tire is in such condition that it cannot reasonably be sold on a Grade I tire certificate. The District Director's authorization shall be sent to the dealer who requested the reclassification. It shall describe each tire being reclassified as Grade III by size, type and serial number.

4. Section 1315.201 (a) (38) is amended to read as follows:

(38) "Used", as applied to tires, means any tire which has been used 1000 miles or more.

5. Section 1315.503 (b) (1) is amended by inserting the word "passenger" after the phrase "Grade I".

6. The first sentence of § 1315.505 (b) (1) is amended to read as follows: "A certificate for a truck tire of a size, ply and grade listed in the table below or for a Grade I passenger tire may be issued for a commercial motor vehicle which meets the applicable conditions of §§ 1315.501 and 1315.504 and which is used exclusively by medical or dental laboratories, or for the transportation of apparel by dry cleaners, or for the transportation of laundry, drugs, medicinal supplies or essential food."

7. The table headings, "New or Used" and "Used", appearing in § 1315.505 (b) (1) are amended to read "Grade I or Grade II" and "Grade II" respectively.

8. Section 1315.505 (b) (2) is amended to read as follows:

(2) A certificate for a Grade II truck tire in a size and ply listed in the table in subparagraph (1) or for a Grade I passenger tire may be issued for any commercial motor vehicle which meets the applicable requirements of §§ 1315.501 and 1315.504.

9. Sections 1315.506 (a) (1) (i) and (ii) are amended to read as follows:

(i) An applicant may be granted a certificate only for a tractor-implement tire for such a vehicle, except that when the vehicle cannot be operated with a tractor-implement tire, and there are no suitable unrationed tires available in the community, the applicant may be granted a certificate for a Grade II truck tire.

(ii) In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a small tractor-implement tire for such a vehicle, even though the tire to be replaced is recappable; and if the vehicle cannot be operated with a tractor-implement tire and there are no suitable unrationed tires available in the community, the applicant may be granted a certificate for a Grade II truck tire.

10. Section 1315.511 is amended to read as follows:

§ 1315.511 *Eligibility of house trailers.* A person who is eligible under paragraph (a) or (b) and who meets the applicable conditions of § 1315.501 may be granted a certificate for Grade I passenger tires if Grade III passenger tires are not available in the community. However, if the Board determines that use of a passenger-type tire would be an uneconomical use of rubber in view of the load to be carried, it may issue a certificate for a truck tire listed in the table in § 1315.505 (b) (1). Eligibility may be established:

(a) *Use by itinerant workers.* For a house trailer used exclusively to furnish housing to itinerant workers rendering any of the construction, maintenance or repair services listed in § 1315.505 (a) (14) (ii), or other services essential to the public health, safety or the war effort if it is required to enable such persons to be located near their place of work.

(b) *Use by commercial towers of trailers.* To provide a person in the business of towing trailers with eight (8) tires plus four (4) additional tires for each separate branch where he maintains a tow car.

11. Section 1315.516 is amended by inserting the word "passenger" between "Grade I" and "tires".

12. Section 1315.602 (j) is amended to read as follows:

(j) *Grade I passenger tires for automobile dealer.* Application by an automobile dealer or the Reconstruction Finance Corporation for a Grade I passenger tire under § 1315.516 shall be filed on OPA Form R–1 with the Board serving the area in which his establishment is located.

13. Sections 1315.609 (b) and (c) are amended by deleting the word "used" wherever it appears and substituting for it the phrase "Grade II".

14. Sections 1315.611 (c) (1) and (3) are amended by inserting the word "passenger" between "Grade I" and "tire" wherever the phrase "Grade I tire" appears.

15. Section 1315.611 (c) (4) is added to read as follows:

(4) A Grade II truck tire of the size and ply called for on a certificate for a used truck tire may be delivered in exchange for the certificate.

16. The headnote and text of § 1315.802 (c) are amended by deleting the word "used" and substituting for it the phrase "Grade II truck".

17. Section 1315.803 (d) is amended to read as follows:

(d) *Tires in need of recapping or repair.* No dealer or manufacturer may transfer to a consumer, in exchange for a certificate, a tire which is in need of recapping, or a tire which cannot be made serviceable for use.

18. Section 1315.803 (g) is amended by deleting the word "new" wherever it appears and substituting for it the phrase "Grade I".

19. The replenishment table in § 1315.804 (c) (3) is amended to read as follows:

If replenishment portion calls for—	*Dealer or manufacturer may replenish with—*
A Grade I passenger tire.	A Grade I passenger tire.
A truck tire with a cross-section size 7.50 or smaller.	A Grade I truck tire with a cross-section size 7.50 or smaller, or a small Grade I tractor-implement tire.
A truck tire with a cross-section size 8.25 or larger.	A Grade I truck tire with a cross-section-section size 8.25 or larger.
A tractor-implement tire.	A Grade I tractor-implement tire.
A truck tire (no designated size—on OPA Form R–12, only).	A Grade I truck tire with a cross-section size 7.50 or smaller, or a small Grade I tractor-implement tire.

20. The headnote of § 1315.804 (e) and the text of § 1315.804 (e) (1) preceding subdivision (i) are amended to read as follows:

(e) *Transfer of Grade I tires upon authorization.* (1) The following transfers of Grade I tires may be made (without certificate) upon written authorization of the District Director serving the area in which the tires are located:

21. Section 1315.804 (e) (2) is amended by deleting the phrase "and tubes".

22. Section 1315.804 (j) is revoked.

23. Section 1315.804 (k) is amended by deleting the word "used" wherever it appears and substituting for it the phrase "Grade II truck".

24. Section 1315.804 (k) (2) is amended by deleting the words "and type of" and substituting for it the phrase "of Grade II truck".

25. Section 1315.806 (j) is amended to read as follows:

(j) *Transfer of unit for unit.* (1) A dealer may transfer tires to another dealer in exchange for an equal number of tires of the same type and grade.

(2) A dealer may transfer tires to a manufacturer in exchange for an equal number of tires of the same type and grade, except that he may not exchange Grade I truck tires in one cross-section size group for those in another. (The cross-section size groups are 7.50 or smaller, and 8.25 or larger).

26. Section 1315.806 (p) (1) (iii) is amended to read as follows:

(iii) Grade III passenger tires; (A manufacturer transferring new Grade III passenger tires must file the report required by § 1315.1005 (b).)

27. Section 1315.806 (r) is amended to read as follows:

(r) *Transfer of Grade II truck tires by manufacturers.* A manufacturer may, without certificate, transfer Grade II truck tires to a dealer or manufacturer. He must, however, file the report required by § 1315.1005 (b).

28. Section 1315.807 (e) (2) is amended to read as follows:

(2) New truck or passenger-type tires which were classified as Grade II or Grade III tires while in his possession.

29. Section 1315.1005 (a) (2) is amended to read as follows:

(2) When tires are transferred to a dealer by the Procurement Division or when Grade II or Grade III tires are transferred to a dealer by a manufacturer, the dealer shall keep a record with respect to each shipment of the date on which he receives it; the weight, if the transfer was made on a weight basis; the total number of tires; the number, size, type and grade of all usable, repairable or recappable tires; and the number of scrap tires.

30. Section 1315.1005 (b) is added to read as follows:

(b) *Report of transfer of new Grade II or Grade III tires by manufacturers.* A manufacturer who transfers new Grade II truck or Grade III passenger tires to a dealer shall report the shipment to the Office of Price Administration, Tire Rationing Branch, Washington, D. C. The report shall show the manufacturer's name, the dealer's name and the address (specifying the county) of the establishment to which shipment was made, the date of the shipment, and the amount, type and size of tires shipped, listing repaired and unrepaired tires separately.

31. The headnote of § 1315.1005 (e) is amended by deleting the word "used" and substituting for it "Grade II truck".

This amendment shall become effective March 12, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

NOTE.—All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3724; Filed, Mar. 8, 1945; 11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 2]

GENERAL PRICING PROVISIONS FOR CERTAIN FEEDS AND FEED INGREDIENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1.18 of Food Products Regulation No. 3 is amended to read as follows:

SEC. 1.18 *Sized cake.* "Sized cake" is ground oil cake which will not pass through a 1/16 inch screen. It may, however, include limited quantities of oil meal, not in excess of 10 per cent.

This amendment shall become effective March 13, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3718; Filed, Mar. 8, 1945; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 21]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Section 20 (a) (6) is amended to read as follows:

(6) *Sales to the United States Government.* (i) The maximum price for the sale of any particular score or grade of bulk butter in any place to the United States Government or any agency thereof shall be determined in accordance with paragraph (a) (2) of this section establishing maximum prices for "sales by a creamery."

(ii) In addition to this maximum price a seller may charge the United States Government or any agency thereof or a purchaser who buys for resale to the United States Government or any agency thereof the following sum when butter has been packed pursuant to government specifications in special export boxes more expensive than new fibre or corrugated boxes in customary domestic use:

(*a*) The invoice cost of the export box or shook from the manufacturer delivered to him plus 3/4¢ per pound when the box has been strapped for export.

(*b*) The invoice cost of the export box or shook from the manufacturer delivered to him plus 5/8¢ per pound when the box has not been strapped for export.

(iii) The maximum price for sales to the United States Government or any agency thereof established in subdivision (i) of this subparagraph 6 may be increased by the following amounts where a sale is made to, and delivery made to the physical location of, an individual military or naval establishment, or a federal hospital, school, or penal institution:

2¢ per pound for deliveries of 1–1,500 pounds inclusive.
3/4¢ per pound for deliveries of over 1,500 pounds but not over 5,000 pounds.

However, where delivery is not made to the physical location of the purchaser, or where the sale is of a quantity greater than 5,000 pounds, no amount may be added to the maximum price established in subdivision (i) of this subparagraph.

This amendment shall become effective March 8, 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3696; Filed, Mar. 7, 1945; 3:48 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE TRANSPORTATION

[MPR 569, Amdt. 1]

MAXIMUM PRICES FOR USED MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 569 is amended in the following respects:

1. Paragraph (a) of section 8 is amended by inserting the phrase "(Harley-Davidson or Indian)" after the phrase, "The maximum price for a used motorcycle" and before the phrase, "which cannot be priced under sections 5 and 6."

2. Paragraph (b) of section 8 is amended to read as follows:

(b) *Application for a special maximum price for the resale of a used Harley-Davidson or Indian motorcycle purchased from the United States Government—(1) When an application may be filed.* Application for a special maximum selling price may be made under this paragraph if:

(i) The Motorcycle (Harley-Davidson or Indian) was purchased prior to December 2, 1944 from the United States Government or any of its agencies by the applicant; and

(ii) The purchase price was more than the base price in Appendix B (plus the allowance of $75 for a side car when such equipment was purchased with the motorcycle).

[1] 9 F.R. 5140, 5427, 5429, 5588, 5917, 5919, 5921, 6105, 7699, 10090, 10579, 10871, 11171, 13057, 13630, 14288, 14292, 14389, 10 F.R. 250.

(2) *What the application must contain.* The application shall contain (i) a showing that the conditions in subparagraph (1) above are present; and

(ii) The make (Harley-Davidson or Indian), model, model year, motor number and serial number if any, of the motorcycle for which a special maximum price is requested; and

(iii) An indication as to whether there is or is not a side car to be resold with the motorcycle for which a special maximum price is requested;

(iv) A copy of the invoice covering the sale to the applicant by the United States Government, or any of its agencies, of the motorcycle for which a special maximum price is requested.

(3) *Action by the Office of Price Administration.* If the applicant demonstrates that he purchased the motorcycle prior to December 2, 1944, from the United States Government, or any of its agencies, at a price higher than the base price in Appendix B (plus the allowance of $75 for a side car when there is one) then a special maximum price will be authorized by order. This special maximum price will be the maximum amount that may be charged for a non-warranted sale and will include the allowance of $75 for a side car when there is one to be resold with the motorcycle.

When the applicant makes a warranted sale of the motorcycle for which he receives a special maximum price, in addition to the special maximum price, he may charge a markup of 25% on this special maximum price or $50, whichever is higher.

NOTE: Clearance of this amendment is waived by the Bureau of the Budget.

This amendment shall become effective this March 13, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3719; Filed, Mar. 8, 1945; 11:38 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 394, Amdt. 12]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the consideration involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 394 is amended by adding subparagraph (4) to section 5 (b) to read as follows:

(4) Notwithstanding any of the foregoing provisions of subparagraphs (1), (2) or (3) of this paragraph (b), upon a finding that there exists within any specified area or areas quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts which are insufficient to supply the requirements of purveyors of meals, and upon further finding that such condition has occurred because of an increase in population in such area or areas due to the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area, the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355 and section 24 of Maximum Price Regulation No. 394, to purveyors of meals located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided,* That in no event may any such retail selling establishment be authorized to sell retail meat cuts to purveyors of meals in excess of 70 percent of its total monthly dollar volume of meat sales.

This amendment shall become effective March 9, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3720; Filed, Mar. 8, 1945; 11:38 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336, Amdt. 21]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 336 is amended by adding subparagraph (4) to section 5 (b) to read as follows:

(4) Notwithstanding any of the foregoing provisions of subparagraphs (1), (2) or (3) of this paragraph (b), upon a finding that there exists within any specified area or areas quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts which are insufficient to supply the requirements of purveyors of meals, and upon further finding that such condition has occurred because of an increase in population in such area or areas due to the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area, the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355 and section 24 of Maximum Price Regulation No. 394, to purveyors of meals located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided,* That in no event may any such retail selling establishment be authorized to sell retail meat cuts to purveyors of meals in excess of 70 percent of its total monthly dollar volume of meat sales.

This amendment shall become effective March 9, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3722; Filed, Mar. 8, 1945; 11:36 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 355, Amdt. 24]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB, AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 355 is amended by adding subparagraph (4) to section 5 (b) to read as follows:

(4) Notwithstanding any of the foregoing provisions of subparagraphs (1), (2) or (3) of this paragraph (b), upon a finding that there exists within any specified area or areas quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts which are insufficient to supply the requirements of purveyors of meals, and upon further finding that such condition has occurred because of an increase in population in such area or areas due to the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government, the Administrator of the Office of Price Administration, Washington, D. C., may, by order, designate such area as a deficiency area for such period as he may prescribe.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area, the District Director of the Office of Price Administration for the district in which such deficiency area is located may authorize any retail selling establishment customarily serving such area which is not a hotel supply house, and which does not own or control a packing or slaughtering plant and which is not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts at the prices specified in section 21 of Maximum Price Regulation No. 336, section 30 of Maximum Price Regulation No. 355 and section 24 of Maximum Price Regulation No. 394, to purveyors of meals located in such area in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may any such retail selling establishment be authorized to sell retail meat cuts to purveyors of meals in excess of 70 percent of its total monthly dollar volume of meat sales.

This amendment shall become effective March 9, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3721; Filed, Mar. 8, 1945; 11:36 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 12, Amdt. 1]

SHORTENING IN PUERTO RICO

A rationale accompanying this amendment, issued simulanteously herewith, has been filed with the Division of the Federal Register.

Restriction Order 12 is amended in the following respects:

1. The title is amended by deleting the phrase "lard and".

2. Section 1.1 is amended by deleting the phrase "ending at 6:00 p. m., on February 25, 1945", and inserting in lieu thereof the phrase "ending at 6:00 a. m., on March 5, 1945".

3. Sections 1.1, 1.2 (a) and 1.3 are amended by deleting the phrases "lard and" and "lard or" wherever they appear.

4. Section 2.2 is amended by deleting the word "lard" after the phrase "transfer of".

5. Section 4.1 (b) is hereby revoked.

6. Sections 4.1 (e), 4.1 (f), 4.1 g), and 4.1 (h) are amended by deleting the phrase "lard or" wherever it appears.

This amendment shall become effective on February 24, 1945.

Issued this 8th day of March 1945.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

M. S. BURCHARD,
Acting Regional Administrator,
Region IX.

[F. R. Doc. 45-3744; Filed, Mar. 8, 1945; 11:39 a. m.]

PART 1439—COMMODITIES AND SERVICES

[Order 260 Under 3 (b), Revocation]

AGRICULTURAL INSECTICIDES AND FUNGICIDES

An opinion accompanying this revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order 260 under § 1499.3 (b) of the General Maximum Price Regulation is hereby revoked subject to the provisions of Supplementary Order 40.[1]

This order shall become effective March 9, 1945.

Issued this 8th day of March 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-3726; Filed, Mar. 8, 1945; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 2]

STEAM DISTILLED TURPENTINE AND RELATED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 25 is amended in the following respects:

1. The heading of section 25 is amended to read as follows:

SEC. 25. *Steam distilled turpentine, dipentene, solros, wood rosin size and limed rosin.*

2. The introductory paragraph of paragraph (a) is amended to read as follows:

(a) *Maximum prices.* The maximum prices for sales of steam distilled turpentine, dipentene, processed wood rosin used in the manufacture of core oil known as solros, wood rosin size and limed rosin shall be those established under any other provisions of the General Maximum Price Regulation, or those set forth below, whichever are higher:

3. The table in paragraph (a) (1) (i) (*a*) is amended by changing the price "$3.90" specified for solros to the price "$4.10."

4. Paragraph (a) (1) (iii) is added to read as follows:

(iii) *Limed rosin.* The maximum price per 100 pounds net for a producer's sales of limed rosin to any class of purchasers shall be the producer's maximum price per 100 pounds net for sales to that class of purchasers of the grade of wood rosin being limed plus an addition determined as follows:

Not more than 2 per cent lime content—20¢
Lime content more than 2 per cent but less than 3 per cent—20¢ plus 1¢ for each .1 per cent lime content over 2 per cent
Lime content of 3 per cent or more—30¢

5. Paragraph (a) (2) is amended by changing the heading to read: "(2) *Sales by resellers*—(i) *Steam distilled turpentine, dipentene and wood rosin size.*" and deleting therefrom the phrase "processed wood rosin used in the manufacture of core oil known as solros," appearing between the phrases "dipentene," and "or wood rosin size,".

6. Subdivision (ii) is added to paragraph (a) (2) to read as follows:

(ii) *Solros and limed rosin.* The Administrator may, when it appears that increased acquisition cost of processed wood rosin used in the manufacture of core oil known as solros or limed rosin resulting from adjustment of the producer's maximum price under this section 25 cannot be absorbed or can only be partially absorbed by the distributive trade, established by order maximum prices for resellers at levels which reflect the absorptive ability of the distributive trade.

7. Paragraph (b) is amended by changing the heading to read "(b) *Invoices*—(1) *Steam distilled turpentine, dipentene and wood rosin size.*", deleting therefrom the phrase "processed wood rosin used in the manufacture of core oil known as solros," appearing between the phrases "dipentene," and "or wood rosin size," and redesignating subparagraphs (1) and (2), (i) and (ii), respectively.

8. Subparagraph (2) is added to paragraph (b) to read as follows:

(2) *Solros and limed rosin.* The producer shall show as separate items on all invoices for processed wood rosin used in the manufacture of core oil known as solros or limed rosin for which maximum prices are established under this section 25:

(i) The maximum price established for a sale of such product under any other provisions of the General Maximum Price Regulation.

(ii) The adjusted selling price (not in excess of the maximum price under this section 25).

An invoice containing the above required information shall be furnished the buyer prior to payment by him.

This amendment shall become effective March 13, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3723; Filed, Mar. 8, 1945; 11:36 a. m.]

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[1] 8 F.R. 4325.

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

SALMON NATIONAL FOREST; REMOVAL OF TRESPASSING HORSES

Whereas a number of horses are trespassing and grazing on land in the Salmon National Forest in the State of Idaho; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), the following order is issued for the occupancy, use, protection, and administration of the areas described below within the Salmon National Forest:

Temporary closure from livestock grazing.[1] (a) The following described areas in the Salmon National Forest are hereby closed for the period March 15, 1945 to March 14, 1946, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such allotments, pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land:

Copper Creek Ranger District. All of the drainage of Panther Creek from and including Hot Spring Creek and Beaver Creek on the east side and the area between Bear Gulch and Big Deer Creek on the west side.

Salmon Ranger District. All of the drainage of Peel-tree Creek, Cabin Creek, and Hat Creek that lies within the boundary of the Salmon National Forest. All of the land within the exterior boundaries of the Salmon National Forest, on the east side of the Salmon River between and including Spring Creek and Cow Creek also including Ennis Gulch, a tributary to the Pahsimeroi River, and all lands within the Salmon National Forest on the south side of the Lemhi River between and including Mulkey Creek and Hayden Creek drainages.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Salmon National Forest is located.

Done at Washington, D. C., this 7th day of March 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 45-3708; Filed, Mar. 8, 1945; 11:09 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 37, Supp. 6]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

VALUES AND RATES OF CHARTER HIRE

Whereas, it has been deemed advisable and necessary to include certain lumber schooners within the scope of General Order 37 (§§ 302.101 to 302.113, inclusive; 9 F.R. 3806, 5077, 6777, 8078, 11207, 11547);

It is hereby ordered, That General Order 37 be amended as set forth below and that all findings and interpretations heretofore made by the Administrator with respect to General Order 37 be deemed applicable to the vessels covered by this supplement:

Paragraph (b) *Vessels excluded* of § 302.102 *Scope of order* is amended by inserting after the words "lumber schooners" and before the comma, the following: "(except steel vessels, originally constructed as dry cargo vessels capable of off-shore operation, which have not been structurally altered to carry heavy deck loads, which shall be treated as dry cargo vessels)[1]."

(E.O. 9054, 3 CFR Cum. Supp.)

[SEAL] E. S. LAND,
Administrator.

MARCH 6, 1945.

[F. R. Doc. 45-3715; Filed, Mar. 8, 1945; 11:27 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 63—EXTENSION OF LINES AND DISCONTINUANCE OF SERVICE BY CARRIERS

AUTHORIZATION OF USE BY CARRIERS OF ALTERNATE WIRE LINE FACILITIES DURING EMERGENCIES

The Commission on March 6, 1945, effective immediately, adopted new paragraph (b) of § 63.04 *Special provisions relating to temporary or emergency service* (9 F.R. 2093), which reads as follows:

(b) (1) A request may be made by any carrier, authorized to handle public telephone or telegraph communication by radio, for continuing authority to operate, during any emergency when its regular facilities become inoperative or inadequate to handle its traffic, wire facilities of any other carrier between points between which applicant is authorized to communicate by radio for the transmission of traffic which applicant is authorized to handle;

(2) Such request may be made by letter or telegram making reference to this subsection and setting forth the points between which applicant desires to operate wire facilities of other carriers and the nature of the traffic to be handled thereover;

(3) Continuing authority for the operation thereafter of such alternate wire facilities during emergencies shall be deemed granted effective as of the 15th day following the filing of the request unless on or before that date the Commission shall notify the applicant to the contrary: *Provided, however*, Applicant shall, not later than the 15th day following the end of each quarter in which it has operated wire facilities of any other carrier pursuant to authority granted under this subsection, file with the Commission a statement in writing making reference to this paragraph and describing each occasion during the quarter when it has operated such facilities, giving dates, points between which such facilities were located, hours or minutes used, nature of traffic handled, the approximate number of words of telegraph traffic transmitted, and reasons why its own facilities could not be used.

(4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i), sec. 214 (a), 48 Stat. 1075; as amended March 6, 1943, 57 Stat. 11; 47 U.S.C. 214 (a))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-3745; Filed, Mar. 8, 1945; 11:42 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 180, Amdt. 2]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of March, A. D. 1945.

Upon further consideration of Revised Service Order No. 180 (9 F.R. 12133) of October 2, 1944, as amended (10 F.R. 341), and good cause appearing therefor:

It is ordered, That:

Revised Service Order No. 180 (9 F.R. 12133) of October 2, 1944, as amended (10 F.R. 341), be and it is hereby, amended by adding the following provisions:

(e) *Extreme weather.* (1) During the period when weather conditions exist as described in Rule 8, Section A, Agent B, T. Jones' Tariff I. C. C. No. 3815, the provisions of this order are suspended. In lieu thereof the rules, regulations, and charges provided in lawfully published tariffs shall apply.

(2) When because of rising waters it it not practicable, or because of flood conditions it is impossible for railroads to set refrigerator cars for delivery at the usual places contemplated by lawfully published tariffs, the provisions of this order are suspended on such cars. In lieu thereof the rules, regulations, and charges provided in lawfully published tariffs shall apply.

(f) *Effective date.* This amendment shall become effective at 7:00 a. m. March 8, 1945.

(g) *Expiration date.* This order and all amendments shall expire at 7:00 a. m., December 1, 1945, unless otherwise modi-

[1] This affects tabulation contained in 36 CFR, 261.50.

[1] This description includes the following vessels only: A. M. Baxter, Coos Bay, Lawrence Philips, Point San Pablo, Sonoma, Stanley A. Griffiths, Scotia, Morlen, Olympic, Lake Frances, El Cedro, Lumberlady, Silverado, James Griffiths, Texada, Peter Helms, Margaret Schafer, Lurline Burns, Cadaretta, Chas. L. Wheeler, Jr., Anna Schafer, Dorothy Philips, Barbara Olson, Point San Pedro, El Captain.

fied, changed, suspended or annulled by order of this Commission.

It is further ordered, That Amendment No. 1 is vacated and superseded by Amendment No. 2 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-3746; Filed, Mar. 8, 1945; 11:41 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. 1715]

TRANSCONTINENTAL AND WESTERN AIR, INC.; DETROIT-ST. LOUIS NON-STOP SERVICE

NOTICE OF HEARING

In the matter of the application of Transcontinental and Western Air, Inc. for authority to inaugurate non-stop service between Detroit and St. Louis under § 238.3 of the Board's Economic Regulations.

Notice is hereby given that the above-entitled matter is assigned to be heard on March 16, 1945, at 10 a. m. (eastern war time) in the foyer of the Auditorium, Commerce Building, Washington, D. C., before Examiner H. Heinrich Spang.

Dated at Washington, D. C., March 6, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 45-3702; Filed, Mar. 8, 1945; 11:06 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-586]

KENTUCKY NATURAL GAS CORPORATION

ORDER FIXING DATE OF HEARING

MARCH 2, 1945.

Upon consideration of the application filed on October 16, 1944, as amended on January 13, 1945, by Kentucky Natural Gas Corporation ("Applicant"), for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act as amended, for authority to acquire from Universal Gas Company ("Universal"), its wholly-owned subsidiary, and to operate all of the latter's assets and natural-gas facilities, as hereinafter described:

(1) 80.45 miles of natural gas pipe line ranging in size from 2-inch to 10-inch, together with the usual pipe-line appurtenances, franchises, permits, rights-of-way and easements for the laying, construction, maintenance and operation of said lines in the counties of Vigo, Clay, Owen, Putnam, Morgan and Monroe, State of Indiana.

(2) One (1) acre of unimproved land in Monroe County, Indiana.

(3) A contract dated June 25, 1932, between Universal as the assignee of the original contracting party and Central Illinois Public Service Company, under the terms of which Universal formerly supplied natural gas to Central Illinois Pubic Service Company for transmission by the latter to its distribution systems in the cities and towns of Paris, Charleston, Mattoon and Effingham, Illinois, and other cities and towns adjacent to the system of Central Illinois Public Service Company.

(4) A contract dated July 3, 1940, between Universal and Public Service Company of Indiana for transmission by it through its system for resale in the cities and towns of Mitchell, Bedford, Bloomington, Seymour, Columbus, Franklin and Edinburg, Indiana, and their environs and other cities and towns adjacent to the system of Public Service Company of Indiana, and for resale by the latter to Northern Indiana Power Company for redistribution at retail by it.

(5) A gas purchase contract dated September 13, 1935, between Petroleum Exploration and the Ohio Oil Company as seller and Universal as purchaser, together with modifications thereof, dated August 17, 1936, and March 14, 1941, respectively.

The Commission orders that:

(A) A public hearing be held commencing on April 10, 1945, at 10:00 a. m., in Room 705, United States Customhouse, Chicago, Illinois, respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 45-3699; Filed, Mar. 8, 1945; 10:00 a. m.]

[Docket Nos. G-590 and G-592]

KENTUCKY NATURAL GAS CORPORATION

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

MARCH 2, 1945.

Upon consideration of the following applications which were filed by Kentucky Natural Gas Corporation ("Applicant") for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(1) Application filed November 2, 1944 (Docket No. G-590) for authority to sell and deliver natural gas to Indiana Gas and Chemical Corporation, at Terre Haute, Indiana, for resale by the latter to the Owens-Illinois Glass Company; and

(2) Application filed November 6, 1944 (Docket No. G-592) for authority to sell and deliver natural gas to the Crawford County Gas Company for resale to the latter's customers in Crawford County, Illinois, and the village of Flat Rock, Illinois, for resale by the latter to consumers in that village; and

It appearing to the Commission that:

(a) The above-entitled proceedings may involve substantially similar issues of fact.

(b) Good cause exists for consolidating the above matters for purposes of hearing.

The Commission orders that:

(A) The above-entitled proceedings be and they are hereby consolidated for purposes of hearing.

(B) A public hearing be held commencing on April 11, 1945, at 10:00 a. m. (C. W. T.) in Room 705, United States Customhouse, Chicago, Illinois, respecting the matters involved and the issues presented in these proceedings.

(C) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 45-3700; Filed, Mar. 8, 1945; 10:00 a. m.]

[Docket No. G-623]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

MARCH 6, 1945.

Notice is hereby given that on February 19, 1945, an application was filed with the Federal Power Commission by Northern Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at Aquila Court Building, Omaha, Nebraska, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate the following-described facilities:

(1) One additional 1300 horsepower compressor unit at each of Applicant's Bushton, Kansas, and Mullinville, Kansas, compressor stations together with appurtenances and equipment; and

(2) Approximately 15.4 miles of 24-inch loop line extending from the NW¼, S. 14, T. 14 S., R. 7 W., Ellsworth County, Kansas, in a northeasterly direction to a point in the NE¼, S. 17, T. 12 S., R. 5 W., Ottawa County, Kansas, together with 16-inch tie-over lines and appurtenances.

The application states that the proposed facilities will increase the delivery capacity of Applicant's natural-gas transmission pipe-line system by approximately 8 million cubic feet per day

and enable Applicant to meet increased demands of customers north of its Clifton, Kansas, compressor station.

Any person desiring to be heard or to make any protest with respect to said application should, on or before the 24th day of March, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-3701; Filed, Mar. 8, 1945; 10:00 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 494, as Amended, Amdt.]

RUSS ESTATE CO.

Vesting Order Number 494, dated December 12, 1942, as amended, is hereby further amended as follows and not otherwise:

By deleting the name "Elsie Mebius" appearing in Exhibit A, attached to the said Vesting Order Number 494, as amended, and substituting therefor the names "Elise Mebius and Bertha Schneppendahl".

All other provisions of said Vesting Order Number 494, as amended, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3706; Filed, Mar. 8, 1945; 11:07 a. m.]

[Vesting Order 2484, as Amended, Amdt.]

JULIUS FREY, ET AL.

In re: Interests in real property, a mortgage and a bank account owned by Julius Frey, Katherine Frey Herold, Elfrieda Blinn Jost and Emma Frey Wekenmann.

Vesting Order Number 2484, dated October 26, 1943, as amended, is hereby further amended as follows and not otherwise:

By deleting subparagraph 3-b of said Vesting Order Number 2484, as amended, and substituting therefor the following:

An undivided four-fifths interest in and to a certain Mortgage executed by Grace Young, a widow, as Mortgagor, on February 13, 1936, in favor of Fred Frey and recorded in the Office of the Recorder, Hamilton County, Ohio, in Mortgage Book 1665, Pages 616-617, on March 3, 1936, and any and all obligations secured by said Mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid Mortgage) for any and all such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations, and

All other provisions of said Vesting Order Number 2484, as amended, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 5, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3707; Filed, Mar. 8, 1945; 11:07 a. m.]

[Vesting Order 4578]

CHIYOKO TAKARA

In re: Real property, property insurance policies and claims owned by Chiyoko Takara.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Chiyoko Takara is Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Chiyoko Takara is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Chiyoko Takara in and to:

(i) Fire insurance policy No. 7138335, issued by Guaranty Assurance Co., London, England, covering the premises at Nos. 2735 and 2735-A Kaimuki Avenue, Honolulu, Territory of Hawaii;

(ii) Fire insurance policy No. 19120 issued by Hartford Fire Insurance Co., Hartford, Connecticut, covering the premises at No. 2735 Kaimuki Avenue, Honolulu, Territory of Hawaii,

(iii) Fire insurance policy No. PF 81439 issued by Fire Association of Philadelphia, Philadelphia, Pennsylvania, covering the premises at No. 2735 Kaimuki Avenue, Honolulu, Territory of Hawaii, and

c. All right, title, interest and claim of Chiyoko Takara in and to any and all obligations, contingent or otherwise and whether or not matured, owing to her by Ellen Kikue Takara, Dorothy Kimiko Uehara and Yukiko Takara, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 3-a hereof, which sums are deposited in the Bishop National Bank of Hawaii, Kaimuki Branch, Honolulu, Territory of Hawaii, in Account No. 1607 entitled "Dorothy Kimiko Uehara or Yukiko Takara" and any and all security rights in and to any and all collateral for any or all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (being all of the land described in Royal Patent Number 4155, Land Commission Award Number 7161 to Kumuhea), situate, lying and being at Kaluaolohe, Waikiki, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at a pipe at the Northeast corner of this piece of land, the North corner of Grant 2614, Apana 3, to Kahai, and the West corner of Grant 2638, Apana 2, to Mere Nahakuelua, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Kaimuki" being 3,383.20 feet North and 5,530.90 feet West, and running by true azimuths measured clockwise from South:

1. 35°32' 90.73 feet along Grant 2614, Apana 3, to Kahai to a pipe;

2. 342°30' 23.80 feet along Grant 2614, Apana 3, to Kahai to a pipe;
3. 64°30' 69.00 feet along Grant 2614, Apana 3, to Kahai to a pipe;
4. 52°00' 99.70 feet along Grant 2614, Apana 3, to Kahai, to a pipe;
5. 318°58' 164.00 feet along Grant 2614, Apana 3, to Kahai, to a pipe;
6. 310°19' 51.20 feet along Grant 2614, Apana 3, to Kahai, to a pipe;
7. 76°30' 117.20 feet along Grant 2614, Apana 4, to Kahai, to a pipe;

thence along the Easterly edge of Pahoa Stream for the next four courses, the azimuths and distances between points along said edge of stream being:

8. 144°20' 129.00 feet;
9. 177°40' 170.00 feet;
10. 241°10' 141.00 feet;
11. 253°31' 70.60 feet to a pipe;
12. 260°00' 45.70 feet to the point of beginning.

Containing an area of 0.95 acre, or thereabouts.

Together with a right-of-way over and across a strip ten feet wide along the Eastern boundary of Parcel 6, in Zone 2, Section 7, Plat 31 for the purpose of ingress and egress to Kaimuki Avenue from Parcel 5, in Zone 2, Section 7, Plat 31.

[F. R. Doc. 45-3703; Filed, Mar. 8, 1945; 11:07 a. m.]

SELECTIVE SERVICE SYSTEM.

[Order 29]

LYNDHURST CAMP PROJECT, VA.

Correction

In Federal Register document 42-3056, appearing on page 2624 of the issue for Tuesday, April 7, 1942, the number assigned to the Lyndhurst Camp Project, appearing at the end of the first sentence, should read "29" instead of "20."

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 554]

NEW YORK, N. Y., AND POINTS IN CONNECTICUT, NEW JERSEY, AND NEW YORK

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Norman Hansen, doing business as Sam Hansen & Son, Brooklyn, N. Y.

Peter Frank Reilly, Jr., doing business as Peter F. Reilly's Fireproof Warehouses, Brooklyn, N. Y.

[F. R. Doc. 45-3691; Filed, Mar. 7, 1945; 2:10 p. m.]

[Supp. Order ODT 3, Rev. 563]

CALIFORNIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the suc-

[1] Filed as part of the original document.

cessful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William H. Wright and Robert M. Taylor, copartners, doing business as Contra Costa Van & Storage, Concord, Calif.

William R. Zofall and Kermet P. Michael, copartners, doing business as Martinez Transfer Co., Martinez, Calif.

[F. R. Doc. 45-3690; Filed, Mar. 7, 1945; 2:10 p. m.]

[Supp. Order ODT 3, Rev. 564]

CALIFORNIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his

[1] Filed as part of the original document.

predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Herbert W. Richardson and Lester Fields, copartners, doing business as A–1 Trucking Co., Berkeley, Calif.

L. R. Harrington, doing business as Harrington's Express, Berkeley, Calif.

T. C. Hobart, doing business as Hobart Express Co., Oakland, Calif.

Walter Green and Ford R. Green, copartners, doing business as Green Bros. Express, Oakland, Calif.

[F. R. Doc. 45–3689; Filed, Mar. 7, 1945; 2:10 p. m.]

[Supp. Order ODT 3, Rev. 565]

CALIFORNIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

M. W. Lynch, Oakland, Calif.

John W. Roy and Bert Roy, copartners, doing business as American Moving & Storage Co., Oakland, Calif.

Ever Ready Express, Oakland, Calif.

James H. Stump, doing business as Lincoln Moving & Storage, Oakland, Calif.

[F. R. Doc. 45–3688; Filed, Mar. 7, 1945; 2:09 p. m.]

[Supp. Order ODT 3, Rev. 566]

CALIFORNIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs

or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Security Storage & Moving Co., doing business as Mayflower Warehouses, San Jose, Calif.

Edward N. Gibbons, doing business as Nickell's Van & Storage, San Jose, Calif.

Herbert N. Erickson, doing business as San Jose Moving & Storage Co., San Jose, Calif.

W. Ray James, Effie M. James, Willma M. Forward, and E. Estelle Estensen, copartners, doing business as James Transfer & Storage Co., San Jose, Calif.

[F. R. Doc. 45-3687; Filed, Mar. 7, 1945; 2:09 p. m.]

[Supp. Order ODT 3, Rev. 567]

CALIFORNIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in

[1] Filed as part of the original document.

the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Joseph E. Peeters and Robert J. Peeters, copartners, doing business as Peeters & Sons, San Francisco, Calif.

Dan Cottrell, doing business as Edwards Moving Co., San Francisco, Calif.

V. Lary, doing business as Russ Van & Storage Co., San Francisco, Calif.

Julius Cerf, doing business as Cascade Moving Co., Fairfax, Calif.

[F. R. Doc. 45-3686; Filed, Mar. 7, 1945; 2:09 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 28, Rev. Order 63]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That Order No. 63 under Maximum Price Regulation No. 28 be amended and revised to read as follows:

(a) The maximum price per 190° gallon f. o. b. plant for sales to Defense Supplies Corporation of ethyl alcohol produced in registered distillery No. Ky-12, located at Bardstown, Kentucky, during any period listed below shall be the price set opposite that period.

Period and production in wine gallons of 190° alcohol:	*Price for 190° wine gallon*
First quarter 1944, 334,086.44	$1.0047
Second quarter 1944, 471,574.54	1.0141

(b) If the seller of such ethyl alcohol has made any deliveries thereof to Defense Supplies Corporation at prices higher than those specified above, he is required to refund any overpayment received on the basis of prices higher than those specified above.

(c) The prices based on the cost reports submitted by Tom Moore Distilling Company for the periods specified in paragraph (a) are hereby disapproved insofar as such prices differ from those listed in paragraph (a).

(d) This order may be revoked or amended by the Administrator at any time.

This order shall become effective March 8, 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3677, Filed, Mar. 7, 1945; 11:45 a. m.]

[MPR 64, Order 171]

DIXIE FOUNDRY CO.

APPROVAL OF MAXIMUM RESALE PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes maximum prices for resales of three models of coal heaters manufactured by Dixie Foundry Company, Cleveland, Tennessee, as follows:

(1) For sales by wholesale distributors to retailers the maximum prices for sales in each zone are those set forth below opposite each model number.

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
9R-17	$54.96	$57.19	$60.59	$63.71
3R-30B	32.18	34.07	36.87	39.69
3R-30	35.00	37.19	39.97	42.50

These prices are f. o. b. distributor's city.

(2) For sales by retailers to ultimate consumers the maximum prices in each zone are those set forth below opposite each model number.

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
9R-17	$87.95	$91.50	$96.95	$101.95
3R-30B	51.50	54.50	59.00	63.50
3R-30	56.00	59.50	63.95	68.00

(b) The maximum prices established by this order are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(c) At the time of or prior to the first invoice to each purchaser for resale, after the effective date of this order, Dixie Foundry Company and each wholesale distributor shall notify the purchaser of the maximum prices and conditions set by this order for resales by the purchaser. This notice may be given in any convenient form.

In addition, the Dixie Foundry Company shall, before delivering any stove covered by this order after the effective date of this order, attach securely to each stove a tag or label which plainly states the maximum price of the particular stove for sales to ultimate consumers in each zone.

Zone 1. Illinois, Indiana, Ohio, Kentucky, West Virginia, Virginia, Tennessee, North Carolina, Mississippi, Alabama, Georgia, and South Carolina.

Zone 2. Iowa, Missouri, Michigan, Minnesota, Wisconsin, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, Arkansas, Maine, Florida, and Louisiana.

Zone 3. North Dakota, South Dakota, Wyoming, Nebraska, Colorado, Kansas, New Mexico, Oklahoma, Texas.

Zone 4. Montana, Washington, Idaho, Oregon, California, Nevada, Utah, and Arizona.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 8th day of March 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3678; Filed, Mar. 7, 1945; 11:46 a. m.]

[MPR 120, Order 1304]

C. A. ALLBRITTON, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: *It is ordered,* Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 340.224 and all other provisions of Maximum Price Regulation No. 120.

C. A. ALLBRITTON, BOX 132, HANCEVILLE, ALA., STOUTS MOUNTAIN MINE, BLACK CREEK SEAM, MINE INDEX NO. 2078, CULLMAN COUNTY, ALA., RAIL SHIPPING POINT, HANCEVILLE, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 7, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 1

	Size group Nos.						
	1 to 5 incl.	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel	565	515	505	440	430	430	420
Truck shipment	530	480	460	445	435	420	410

ERNEST ANDERSON, TRACY CITY, TENN., ANDERSON MINE, SEWANEE SEAM, MINE INDEX NO. 2077, MARION COUNTY, TENN., RAIL SHIPPING POINT: WHITWELL, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9.

	Size group Nos.				
	1 to 3 incl.	4 to 6 incl.	7 to 9 incl.	10 to 12 incl.	13, 14
Rail shipment and railroad fuel	405	355	345	325	285
Truck shipment	460	405	380	350	345

ARKER & MILLER, TOWNLEY, ALA., ARKER & MILLER MINE, MARY LEE SEAM, MINE INDEX NO. 2069, WALKER COUNTY, ALA., RAIL SHIPPING POINT, JASPER, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 1, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.						
	1 to 5 incl.	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail Shipment and Railroad Fuel	355	355	345	350	340	345	335
Truck Shipment	425	440	420	385	375	380	345

THE BIRMINGHAM WATER WORKS CO., BIRMINGHAM 3, ALA., CAHABA NO. 3 MINE, WADSWORTH SEAM, MINE INDEX NO. 2001, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT, BIRMINGHAM, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 6, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 2

Rail Shipment and Railroad Fuel	535	485	475	395	385	375	365
Truck Shipment	510	480	460	430	420	405	370

BLEDSOE-VAN COAL CO., C/O W. S. LUSK., PIKEVILLE TENN., LUSK MINE, SEWANEE SEAM, MINE INDEX NO. 2070, VAN BUREN COUNTY, TENN., RAIL SHIPPING POINT: PIKEVILLE, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

	Size group Nos.				
	1 to 3 incl.	4 to 6 incl.	7 to 9 incl.	10 to 12 incl.	13, 14
Rail shipment and railroad fuel	405	365	345	325	285
Truck shipment	460	405	380	350	345

COLONIAL COAL & COKE CO., PRATT CITY, ALA., PRATT #4 MINE, PRATT SEAM, MINE INDEX NO. 2075, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT: PRATT CITY, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 3, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.						
	1 to 5 incl.	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel	380	380	370	380	370	370	360
Truck shipment	470	465	455	420	410	415	395

DE BARDELEBEN COAL CORP., 2201 1st AVE., BIRMINGHAM 3, ALA., OLLIE MINE, MARY LEE SEAM, MINE INDEX NO. 2071, WALKER COUNTY, ALA., RAIL SHIPPING POINT: DORA, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 1, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7

Rail shipment and railroad fuel	355	355	345	350	340	345	335
Truck shipment	425	440	420	385	375	380	345

PAUL GIBBS, TRACY CITY, TENN., GIBBS MINE, SEWANEE SEAM, MINE INDEX NO. 2074, MARION COUNTY, TENN., RAIL SHIPPING POINT: TRACY CITY, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 9

	Size group Nos.				
	1 to 3 incl.	4 to 6 incl.	7 to 9 incl.	10 to 12 incl.	13, 14
Rail shipment and railroad fuel	405	355	345	325	285
Truck shipment	460	405	380	350	345

KISSNER CONSTRUCTION CO., CEDAR COVE, ALA., NO. 3 MINE, MILLDALE SEAM, MINE INDEX NO. 2076, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: DUDLEY, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 7, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.						
	1 to 5 incl.	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel	565	515	505	440	430	430	420
Truck shipment	500	490	470	440	430	420	410

MITCHELL BROS. CONSTR. CO., 3828 AVE. A, BIRMINGHAM 6, ALA., MITCHELL #3 MINE, BROOKWOOD SEAM, MINE INDEX NO. 2072, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 1, FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7

Rail shipment and railroad fuel	355	355	345	350	340	345	335
Truck shipment	425	440	420	385	375	380	345

This order shall become effective March 8, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3679; Filed, Mar. 7, 1945; 11:46 a. m.]

[MPR 260, Order 652]

TENNESSEE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tennessee Cigar Company, Court Square, Dresden, Tenn., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Twin Chief	Supers	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a

brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 8th, 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3682; Filed, Mar. 7, 1945; 11:47 a. m.]

[MPR 260, Order 653]

MENOMONIE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Menomonie Cigar Company, 418 Main Street, Menomonie, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Al-Reine	King	50	$75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 8th, 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3683; Filed, Mar. 7, 1945; 11:47 a. m.]

[RMPR 169, Order 74]

DOVER, N. J.

DESIGNATED AS DEFICIENCY AREA WITH RESPECT TO BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

Pursuant to § 1364.415 (c) (1) of Revised Maximum Price Regulation No. 169, I find that there exists in the town of Dover in the State of New Jersey quotas permitting sales of fabricated meat cuts which are insufficient to supply the requirements of purveyors of meals located in the Picatinny Arsenal. I find, furthermore, that this condition has occurred because of an increase in population in such area due to the maintenance of a project connected directly with the war effort and under the direction and control of the United States Government. Therefore, the town of Dover in the State of New Jersey is hereby designated as a deficiency area and the Administrator at Washington, D. C. may, in writing, authorize named sellers to sell and deliver specified quantities of fabricated meat cuts to purveyors of meals located in the Picatinny Arsenal for such period and subject to such terms and conditions as he may deem necessary.

This designation shall remain in effect to and including June 30, 1945, unless sooner terminated or unless extended by an amendment to this order.

This order may be revoked or amended at any time.

This order shall become effective as of March 1, 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3694; Filed, Mar. 7, 1945; 3:48 p. m.]

[MPR 220, Order 101]

R. S. JONES AND SON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in opinion issued simultaneously herewith and filed with the Division of the Federal Register and in accordance with § 1315.1557 of Maximum Price Regulation 220, and section 6.4 of the Second Revised Supplementary Regulation 14, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which synthetic rubber cement known as "Yu-Re-Nu," manufactured by R. S. Jones and Son, 316 San Gabriel Boulevard, San Gabriel, California, may be sold by the manufacturer as well as by wholesale and retail sellers.

(b) *Maximum prices.* (1) The maximum prices for sales of synthetic rubber cement known as "Yu-Re-Nu," manufactured by R. S. Jones and Son, 316 San Gabriel Boulevard, San Gabriel, California, in containers of the sizes listed below shall be:

[Maximum price, each]

Quantity	At retail	To dealers	To jobbers
Gallon	$10.00	$6.00	$4.50
Quart	2.80	1.68	1.26
Pint	1.50	.90	.675
4 ounces	.90	.54	.405
2-ounce bottle	.50	[1] .30	[2] .225

[1] In dozen lots.
[2] In gross lots.

(2) The maximum price for sales by R. S. Jones and Son to distributors of synthetic rubber cement known as "Yu-Re-Nu," in containers of the sizes listed below shall be:

[Maximum price, each]

Quantity:	*To distributor*
Gallon	$3.825
Quart	1.071
Pint	.57375
4 oz	.34425

(c) *Notification.* With or prior to the first delivery of the commodity described in paragraph (a) to a distributor, jobber or dealer, the seller shall give the purchaser a written notice of the maximum retail price applicable thereto. If the purchaser is a distributor or jobber, the notification shall include the maximum price applicable to such buyer's sales to jobbers and to dealers and a statement that such purchaser is required by this order to notify any dealer to whom he sells of the maximum retail price.

(d) *Recomputation.* Between sixty and seventy-five days after the effective date of this order, R. S. Jones and Son shall recompute its costs and report them to the Office of Price Administration, Washington, D. C. This recomputation of costs shall be done as provided in § 1315.1557 (a) of Maximum Price Regulation 220, except that May 1943 labor rates and the actual number of labor hours and May 1943 materials prices and the actual quantities of materials shall be used in the recomputations.

(e) This order may be revoked or amended at any time.

This order shall become effective March 7, 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3695; Filed, Mar. 7, 1945; 3:48 p. m.]

[MPR 574, Amdt. 1 to Order 1]

LIVE BOVINE ANIMALS (CATTLE AND CALVES)

MAXIMUM PERCENTAGE OF CATTLE SLAUGHTERED WHICH MAY CONSIST OF GOOD AND CHOICE GRADES

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 1 under Maximum Price Regulation No. 574 is amended by adding paragraph (g) to read as follows:

(g) *Adjustment of maximum permitted percentages.* (1) The Price Administrator may, by order, authorize a slaughterer to slaughter at a slaughtering establishment during an accounting period a maximum percentage of Good and Choice cattle higher than the maximum percentage fixed in paragraph (c) of this order, if he finds (i) that such authorization will not be inconsistent with the interest of effective price control of cattle or the equitable distribution of meat, (ii) that of the cattle to be slaughtered by such slaughterer at such establishment during such accounting period, a higher percentage than the percentage fixed in paragraph (c) of this order will consist of cattle owned and fed by him for more than 60 days, and (iii) that at least 50 percent of the cattle slaughtered by such slaughterer at such establishment during each of any two consecutive accounting periods in 1944 consisted of cattle owned and fed by him for more than 60 days.

(2) A slaughterer desiring authorization under subparagraph (1) above to slaughter at a slaughtering establishment during an accounting period a greater percentage of Good and Choice cattle than fixed by paragraph (c) of this order shall file with the Price Administrator at Washington, D. C., a written application setting forth (i) his name, (ii) the address of the slaughtering establishment, (iii) number of head of cattle owned by him at time of application and expected to be slaughtered at such establishment within 6 months of such time, (iv) number of head of cattle expected to be slaughtered by him at such establishment during the accounting period for which application is made, (v) number of head of cattle expected to be slaughtered by him at such establishment during the accounting period for which application is made which will consist of cattle owned and fed by him for more than 60 days, (vi) number of head of cattle slaughtered by him at such establishment during each of any two consecutive accounting periods in 1944, giving the dates of the two periods, (vii) number of head of cattle slaughtered by him at such establishment during each of the two accounting periods listed in subdivision (vi) which consisted of cattle owned and fed by him for more than 60 days, and (viii) the percentage of the total beef produced from the cattle slaughtered at such establishment during each of the two accounting periods listed in subdivision (vi) which graded Good and Choice.

(3) Any order issued pursuant to the provisions of this paragraph (g) shall contain such terms and conditions as the Price Administrator deems necessary in the interest of effective price control of cattle and the equitable distribution of meat.

This amendment to Order No. 1 shall become effective as of February 1, 1945.

Issued this 7th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3697; Filed, Mar. 7, 1945; 3:48 p. m.]

[MPR 188, Amdt. 73 to Order A-1]

REFRACTORY PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. A-1 is amended in the following respects:

1. Subdivision (iii) of paragraph (a) (44) is redesignated as subdivision (iv) and a new subdivision (iii) is added to read as follows:

(iii) Notwithstanding the provisions of subdivision (ii) above, a reseller's maximum price for sales to a particular class of purchaser shall be the same as the manufacturer's maximum price for direct shipments from the manufacturer's plant to that class of purchaser, where:

(*a*) The sale is made by the reseller and shipment to the customer is made direct from the manufacturer's plant; and

(*b*) The manufacturer and the reseller customarily sold or if they did not sell they would have sold to purchasers of the same class in the same marketing area at the same price.

2. Subdivision (iv) of paragraph (a) (50) is redesignated as subdivision (v), and a new subdivision (iv) is added to read as follows:

(iv) Notwithstanding the provisions of subdivision (iii) above, a reseller's maximum price for sales to a particular class of purchaser shall be the same as the manufacturer's maximum price for direct shipments from the manufacturer's plant to that class of purchaser, where:

(*a*) The sale is made by the reseller and shipment to the customer is made direct from the manufacturer's plant; and

(*b*) The manufacturer and the reseller customarily sold or if they did not sell they would have sold to purchasers of the same class in the same marketing area at the same price.

This amendment shall become effective March 9, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3735; Filed, Mar. 8, 1945; 11:41 a. m.]

[MPR 188, Order 3420]

TUBE PRODUCTS CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188, and to section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation; it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries by any person of the welded steel tube snaths manufactured by Tube Products Corporation, 320 North Second Street, Tipp City, Ohio, since Maximum Price Regulation No. 188 became applicable to such sales and deliveries, are as follows:

	Each
For sales to ultimate consumers	$2.32
For sales to jobbers who stock	1.16
For sales to retailers	1.54

Sales by the manufacturer are f. o. b. factory, subject to a cash discount of 2% for payment within ten days. Sales by all other persons are subject to the seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser for resale in writing of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) *Tagging.* To every snath delivered to a purchaser for resale, the man-

ufacturer shall attach securely a durable tag or label which states plainly the maximum price to ultimate consumers, and such tag or label may not be removed until after delivery to the ultimate consumer.

(d) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 9th day of March 1945.

Issued this 8th day of March 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-3736; Filed, Mar. 8, 1945; 11:43 a. m.]

[MPR 188, Order 3425]

PLYCRAFT PRODUCTS MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of §§ 1499.157 and 1499.158 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices.* The maximum prices for sales by any person of the "Plycraft" Model No. 14 wheelbarrow, manufactured by Plycraft Products Manufacturing Company of 214 So. Tower Avenue, Centralia, Washington, are those set forth below opposite each class of purchaser:

	Each
For sales to ultimate consumers	$9.68
For sales to retailers	5.97
For sales to jobbers	4.84

These maximum prices are for sales of the article described in the manufacturer's application dated June 2, 1944. Sales by the manufacturer are subject to a cash discount of 2% for payment by the 10th of the following month. Sales by all other sellers are subject to each seller's customary terms, discounts, allowances, and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser for resale, in writing, of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) *Tagging.* To every "Plycraft" Model No. 14 wheelbarrow delivered to a purchaser for resale, the manufacturer, Plycraft Products Manufacturing Company, shall attach securely a durable tag or label which plainly states the maximum price to consumers, and such tag or label may not be removed until after delivery to the consumer.

A tag in the following form will be satisfactory:

OPA Retail Ceiling Price, $9.68.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) The order shall become effective on the 9th day of March 1945.

Issued this 8th day of March 1945.

JAMES J. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-3741; Filed, Mar. 8, 1945; 11:44 a. m.]

[MPR 336, Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION AS DEFICIENCY AREA WITH RESPECT TO PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

Pursuant to section 5 (b) (4) of Maximum Price Regulation No. 336, I find there exists in the vicinity of the City of Bremerton and the Puget Sound Navy Yard in the State of Washington quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find, furthermore, that this condition has occurred because of an increase in population in such areas due to the maintenance of projects connected directly with the war effort and under the direction and control of the United States Government. The City of Bremerton and the Puget Sound Navy Yard in the State of Washington are hereby designated as deficiency areas, and the District Director of the Seattle District Office of the Office of Price Administration may, in writing, authorize named retail selling establishments customarily serving such areas and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts to purveyors of meals in those areas in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided,* That in no event may any designated retail selling establishment be authorized to sell retail meat cuts to purveyors of meals in excess of 70 percent of its total current monthly dollar volume of meat sales.

This designation shall remain in effect to and including June 30, 1945, unless sooner terminated or unless extended by an amendment to this order.

This order may be revoked or amended at any time.

This order shall become effective March 9, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3727; Filed, Mar. 8, 1945; 11:38 a. m.]

[MPR 355, Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION AS DEFICIENCY AREA WITH RESPECT TO BEEF, VEAL, LAMB AND MUTTON CUTS, AND ALL VARIETY MEATS AND EDIBLE BYPRODUCTS

Pursuant to section 5 (b) (4) of Maximum Price Regulation No. 355, I find there exists in the vicinity of the City of Bremerton and the Puget Sound Navy Yard in the State of Washington quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find, furthermore, that this condition has occurred because of an increase in population in such areas due to the maintenance of projects connected directly with the war effort and under the direction and control of the United States Government. The City of Bremerton and the Puget Sound Navy Yard in the State of Washington are hereby designated as deficiency areas, and the District Director of the Seattle District Office of the Office of Price Administration may, in writing, authorize named retail selling establishments customarily serving such areas and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts to purveyors of meals in those areas in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided,* That in no event may any designated retail selling establishment be authorized to sell retail meat cuts to purveyors of meals in excess of 70 percent of its total current monthly dollar volume of meat sales.

This designation shall remain in effect to and including June 30, 1945, unless sooner terminated or unless extended by an amendment to this order.

This order may be revoked or amended at any time.

This order shall become effective March 9, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-5728; Filed, Mar. 8, 1945; 11:38 a. m.]

[MPR 394, Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION AS DEFICIENCY AREA WITH RESPECT TO KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BYPRODUCTS

Pursuant to section 5 (b) (4) of Maximum Price Regulation No. 394, I find there exists in the vicinity of the City of Bremerton and the Puget Sound Navy Yard in the State of Washington quotas

permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find, furthermore, that this condition has occurred because of an increase in population in such areas due to the maintenance of projects connected directly with the war effort and under the direction and control of the United States Government. The City of Bremerton and the Puget Sound Navy Yard in the State of Washington are hereby designated as deficiency areas, and the District Director of the Seattle District Office of the Office of Price Administration may, in writing, authorize named retail selling establishments customarily serving such areas and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant to sell retail meat cuts to purveyors of meals in those areas in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts to purveyors of meals in excess of 70 percent of its total current monthly dollar volume of meat sales.

This designation shall remain in effect to and including June 30, 1945, unless sooner terminated or unless extended by an amendment to this order.

This order may be revoked or amended at any time.

This order shall become effective March 9, 1945.

Issued this 8th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3729; Filed, Mar. 8, 1945; 11:38 a. m.]

Regional and District Office Orders.

[Region IV Order G-11 Under MPR 188]

OCONEE CLAY PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-11 under Maximum Price Regulation No. 188. Oconee Clay Products Co., Milledgeville, Georgia. Docket No. IV-188-161 (a) (2)-87.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188: *It is hereby ordered:*

(a) That on and after the effective date of this order Oconee Clay Products Company of Milledgeville, Georgia, hereinafter referred to as applicant, may increase its maximum prices for 3'' clay drain tile manufactured by it to the extent of $2.30 per M' or $1.15 per ton, so that its maximum prices for clay drain tile shall be $24.00 per M' or $12.00 per ton, f. o. b. plant.

(b) That all allowances, discounts, services, differentiations in classes of purchases and other differentials customarily made by applicant, shall be maintained.

(c) That any reseller in Region IV purchasing clay drain tile from applicant for resale is hereby permitted to increase his present maximum price by an amount not to exceed the increase in his cost resulting from this order.

(d) Except as otherwise provided herein, all transactions of applicant subject to this order remain subject to the provisions of Maximum Price Regulation No. 188, together with all amendments which heretofore have been, or hereafter may be, issued.

This order may be revoked, corrected, or amended by the Office of Price Administration at any time.

This order shall become effective February 26, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this February 23, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-3684; Filed, Mar. 7, 1945; 11:47 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register March 6, 1945.

REGION II

Philadelphia Order 22, Amendment 3, covering fresh eggs in certain counties in the State of Pennsylvania, filed 9:46 a. m.

Philadelphia Order 23, Amendment 3, covering fresh eggs in certain counties in the State of Pennsylvania, filed 9:46 a. m.

Philadelphia Order 24, Amendment 3, covering fresh eggs in certain counties in the State of Pennsylvania, filed 9:46 a. m.

Philadelphia Order 25, Amendment 3, covering fresh eggs in certain counties in the State of Pennsylvania, filed 9:46 a. m.

REGION III

Charleston Order 3-F, Amendment 59, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:45 a. m.

Charleston Order 7-F, Amendment 45, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:45 a. m.

Charleston Order 8-F, Amendment 45, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:45 a. m.

Charleston Order 9-F, Amendment 45, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:44 a. m.

Charleston Order 10-F, Amendment 40, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:44 a. m.

Charleston Order 11-F, Amendment 30, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:44 a. m.

Charleston Order 12-F, Amendment 34, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:44 a. m.

Charleston Order 13-F, Amendment 30, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:44 a. m.

REGION IV

Raleigh Order 10-F, Amendment 11, covering fresh fruits and vegetables in certain counties in North Carolina, filed 9:43 a. m.

Raleigh Order 11-F, Amendment 11, covering fresh fruits and vegetables in certain counties in North Carolina, filed 9:43 a. m.

REGION V

Dallas Order 3-F, Amendment 35, covering fresh fruits and vegetables in the Dallas, Tex., Area, filed 9:42 a. m.

Shreveport Order 3-F, Amendment 41, covering fresh fruits and vegetables in the Shreveport, La., Area, filed 9:47 a. m.

REGION VI

Springfield Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Illinois, filed 9:46 a. m.

Springfield Order 14-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Illinois, filed 9:46 a. m.

Springfield Order 15-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Illinois, filed 9:47 a. m.

REGION VII

Albuquerque Order 8-F, Amendment 1, covering fresh fruits and vegetables in the Albuquerque Area, filed 9:42 a. m.

Albuquerque Order 9-F, Amendment 1, covering fresh fruits and vegetables in the Albuquerque Area, filed 9:42 a. m.

Albuquerque Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain towns in New Mexico, filed 9:42 a. m.

Albuquerque Order 11-F, Amendment 2, covering fresh fruits and vegetables in the Albuquerque Area, filed 9:41 a. m.

Albuquerque Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain towns in New Mexico, filed 9:41 a. m.

REGION VIII

Fresno Order 3-F, Amendment 41, covering fresh fruits and vegetables in certain cities in California, filed 9:40 a. m.

Fresno Order 4-F, Amendment 16, covering fresh fruits and vegetables in certain counties in California, filed 9:40 a. m.

Fresno Order 5-F, Amendment 12, covering fresh fruits and vegetables in certain counties in California, filed 9:40 a. m.

Fresno Order 6-F, Amendment 27, covering fresh fruits and vegetables in the city of Bakersville and Kern County, filed 9:40 a. m.

Fresno Order 7-F, Amendment 6, covering fresh fruits and vegetables in the city of Merced, filed 9:41 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-3725; Filed Mar. 8, 1945; 11:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 68-2]

PORTLAND ELECTRIC POWER COMPANY BONDHOLDERS COMMITTEE

ORDER PERMITTING POST-AMENDMENT TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of March 1945.

In the matter of Thatcher C. Jones, Lloyd E. Dewey and Joshua Morrison, Portland Electric Power Company Bondholders Committee; File No. 68-2.

Thatcher C. Jones, Lloyd E. Dewey and Joshua Morrison, styling themselves as

Portland Electric Power Company Bondholders Committee, having filed a post-amendment to their declaration herein on February 28, 1945, pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935, with respect to a further supplemental or follow-up letter of solicitation to the holders of the 6% Collateral Trust Income Bonds, due March 1, 1950, of Portland Electric Power Company, a registered holding company and now in reorganization pursuant to Chapter X of the Federal Bankruptcy Act in the United States District Court for the District of Oregon; and

The Commission having examined said post-amendment and exhibits thereto and finding that the same meet the requirements of said Rule U-62;

It is ordered, That said declaration as thus post-amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3692; Filed, Mar. 7, 1945; 2:55 p. m.]

E. H. ROLLINS & SONS, INC., AND WALTER CECIL RAWLS

SUPPLEMENTAL ORDER DISCONTINUING REGISTRATION PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of March, A. D. 1945.

In the matter of E. H. Rollins & Sons, Incorporated, 44 Wall Street, New York, New York and Walter Cecil Rawls, 314 North Broadway, St. Louis, Missouri.

The Commission, by its findings and opinion and order herein of February 22, 1945, having, among other things, suspended E. H. Rollins & Sons, Incorporated, from membership in the National Association of Securities Dealers, Inc., for a 60-day period beginning March 6, 1945, pursuant to section 15A of the Securities Exchange Act of 1934, and reserved jurisdiction on the question whether to revoke Rollins' registration as a broker or dealer pursuant to section 15 (b) of the said act, affording to said respondent an opportunity to submit further evidence for the purposes indicated;

Said respondent having subsequently furnished evidence that Walter Cecil Rawls and Perry Dryden have resigned their respective positions in said respondent's organization, and that said resignations were accepted and took effect on February 24, 1945; and

It appearing to the Commission, on the basis of said evidence and the aforesaid findings and opinion of February 22, 1945, that revocation of the registration of E. H. Rollins & Sons, Incorporated, would not be in the public interest,

It is ordered, That the proceeding herein under section 15 (b) of the act, with respect to the registration of E. H. Rollins & Sons, Incorporated, be and hereby is discontinued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3711; Filed, Mar. 8, 1945; 11:24 a. m.]

[File No. 70-1023]

NORTHERN PENNSYLVANIA POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of March 1945.

Northern Pennsylvania Power Company (Northern), a subsidiary of NY PA NJ Utilities Company, a registered holding company, in turn a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, also a registered holding company, having filed an application, as amended, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with the competitive bidding requirements of Rule U-50, of $4,000,000 principal amount of First Mortgage Bonds dated January 1, 1945 and maturing January 1, 1975; and

The Commission having by order dated February 23, 1945, granted the application, as amended, subject to the condition, among others, that the proposed issuance and sale of securities not be consummated until the results of competitive bidding pursuant to Rule U-50 had been made a matter of record in the proceeding and a further order had been entered by the Commission in the light of the record so completed, jurisdiction having been reserved for this purpose; and

Northern having on March 7, 1945 filed a further amendment to the application stating that it had offered the bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Price to Company	Coupon rate	Cost to company
		Percent	*Percent*
W. C. Langley & Co.	100.1414	2¾	2.743057
Glore, Forgan & Co.			
Kidder, Peabody & Co.	102.239	2⅞	2.764703
The First Boston Corporation	102.18	2⅞	2.767568
Eastman, Dillon & Co.			
Blyth & Co., Inc.	102.17	2⅞	2.768054
Smith, Barney & Co.	102.16	2⅞	2.768539
White, Weld & Co.	101.893	2⅞	2.781541
Shields & Company			
Halsey, Stuart & Co., Inc.	101.55	2⅞	2.798309

The amendment further stating that Northern has accepted the bid of W. C. Langley & Co. and Glore, Forgan & Co. for the bonds as set out above and that the bonds will be offered for sale to the public at a price of 101%, resulting in an underwriters' spread of .8586%; and

Northern Pennsylvania Power Company having further amended its application to provide that such First Mortgage Bonds, due 1975, will be redeemable at the scale of redemption prices set forth in such amendment; and

The Commission having examined the amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters;

It is ordered, That the jurisdiction heretofore reserved with respect to the results of competitive bidding be, and the same hereby is, released, and that the amendment filed on March 7, 1945 to the application be, and hereby is, granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the jurisdiction heretofore reserved over the legal fees and expenses of all counsel in connection with the proposed transactions be continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3712; Filed, Mar. 8, 1945; 11:24 a. m.]

[File No. 70-1035]

CENTRAL VERMONT PUBLIC SERVICE CORPORATION AND VERMONT UTILITIES, INC.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of March 1945.

Notice is hereby given that both Central Vermont Public Service Corporation, a subsidiary of New England Public Service Company, a registered holding company, which in turn is a subsidiary of Northern New England Company, also a registered holding company, and Vermont Utilities, Inc., a subsidiary of the aforementioned Central Vermont Public Service Corporation, have filed joint applications and declarations pursuant to the Public Utility Holding Company Act of 1935 and the general rules and regulations of this Commission promulgated thereunder.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Central Vermont Public Service Corporation proposes to issue and sell for cash to an underwriter or underwriters for resale to the public 40,000 shares of its common stock, no par value. With respect to such issue and sale of common stock, the company states that the competitive bidding requirements of Rule U-50 are considered not applicable by virtue of paragraph (a) (4) of that rule, since the total proceeds of such issue and sale will not exceed $1,000,000. The identity of such underwriter or underwriters, the amounts of their several commitments, the price to be received by the company for the stock and the

price at which the stock will be offered to the public are to be supplied by amendment.

Central Vermont Public Service Corporation also proposes to issue and sell for cash $6,967,000 principal amount of its First Mortgage, Series D Bonds, to bear interest at not more than 3% per annum, to be dated February 1, 1945 and to be due February 1, 1975. The specific interest rate, the price to be received by the company and the underwriter's spread will be determined by competitive bidding under Rule U-50 and will be supplied by amendment.

Central Vermont Public Service Corporation indicates that the proceeds from the aforementioned sale of common stock and Series D Bonds will be used (1) to redeem and retire the entire $6,967,000 principal amount of its First Mortgage 3½% Bonds, Series B, due 1966, outstanding as of December 31, 1944, at the current call price of 105 plus accrued interest, (2) to redeem and retire $138,000 principal amount of First Mortgage 4% Bonds, Series A, of Vermont Utilities, Inc. at current call price of 106 plus accrued interest, (3) to reimburse the treasury for capital expenditures, and (4) to provide additional working capital.

Central Vermont Public Service Corporation also proposes to acquire all of the assets and assume all of the liabilities of Vermont Utilities, Inc. Incidental to this merger, Central Vermont Public Service Corporation and Vermont Utilities, Inc. propose the following transactions:

(1) Amendment of the Articles of Association of Central Vermont Public Service Corporation to add to the purposes stated therein the express purpose of the carrying on of the telephone business now conducted by Vermont Utilities, Inc.

(2) Acquisition by Central Vermont Public Service Corporation and disposition by Vermont Utilities, Inc., under and pursuant to the agreement of merger, of all of the assets of Vermont Utilities, Inc.

(3) Cancellation of the promissory note of Vermont Utilities, Inc. in the principal amount of $50,000 now owned by Central Vermont Public Service Corporation.

(4) Cancellation of 14,000 shares of capital stock of Vermont Utilities, Inc., now owned by Central Vermont Public Service Corporation.

(5) Assumption by Central Vermont Public Service Corporation of liability upon the $138,000 principal amount of First Mortgage Bonds, Series A, 4%, due January 1, 1967, of Vermont Utilities, Inc.

Central Vermont Public Service Corporation also proposes to solicit proxies from the holders of its common stock in connection with the aforementioned merger. Central Vermont Public Service Corporation has included in this filing a declaration under Rule U-62 with respect to such proposed solicitation and requests that the effective date of the declaration be accelerated to March 10, 1945 or before, in order to permit the vote on the merger and transactions incidental thereto to be taken at the next regular annual meeting of stockholders, notice of which must be given prior to March 12, 1945.

It appearing to the Commission in connection with all the foregoing matters, except, however, the declaration with respect to the solicitation of proxies under Rule U-62 that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing should not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on said matters, except the matters in connection with the declaration with respect to the solicitation of proxies under Rule U-62, under the applicable provisions of said act and the rules and regulations promulgated thereunder be held on March 22, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such applications should be granted and such declarations except the declaration with respect to the solicitation of proxies under Rule U-62 should be permitted to become effective. Notice is hereby given of said hearing to the above-named applicants-declarants and to all interested parties, said notice to be given to said applicants-declarants by mailing a copy hereof by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by such filing, particular attention be directed at such hearing to the following matters and questions:

(1) Whether the proposed issue and sale of the common stock by Central Vermont Public Service Corporation are solely for the purpose of financing the business of that company and have been expressly authorized by the State Commission in which that company is organized and doing business, or if not, whether such issue and sale meet the requirements of section 7 of the act.

(2) Whether the proposed issue and sale of First Mortgage Bonds by Central Vermont Public Service Corporation are solely for the purpose of financing the business of that company and have been expressly authorized by the State Commission in which that company is organized and doing business, or if not, whether such issue and sale meet the requirements of section 7 of the act.

(3) Whether the proposed acquisitions of securities and other assets and the proposed assumption of liabilities meet the requirements of the act and the rules, regulations and orders, promulgated thereunder.

(4) Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound and accepted principles of accounting.

(5) Whether the fees and expenses in connection with the proposed transactions are reasonable.

(6) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder, and

(7) Generally, whether the proposed transactions are in the public interest and in the interest of investors or consumers and will not tend to contravene or circumvent any provisions of the act, or the rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-3713; Filed, Mar. 8, 1945; 11:24 a. m.]

[File No. 70-1041]

AMERICAN POWER & LIGHT CO. AND TEXAS ELECTRIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of March, A. D. 1945.

Notice is hereby given that a joint application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Power & Light Company ("American"), a subsidiary of Electric Bond and Share Company, both registered holding companies, and American's subsidiary, Texas Electric Service Company ("Texas").

All interested persons are referred to said joint application and declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Texas proposes to make certain adjustments in its accounts, including the reclassification in Account 107 of items totaling $29,451,280.91 estimated to be the excess of book carrying value over system cost of items presently in the plant account, and the immediate elimination of this amount by charge to earned surplus as of September 30, 1944. In addition, the company proposes to reclassify in Account 100.5, items totalling $3,446,718.07 estimated to represent the excess of system cost of properties over the original cost thereof, and to create a reserve for this amount by equal annual charges over a 15-year period.

In order to enable Texas to make the foregoing adjustments in its accounts in addition to others to be made in connec-

tion with the proposed transactions, American proposes to transfer to Texas $7,000,000 in cash and 4,160,000 shares of no par common stock of Texas having a stated value of $5 per share. Texas then proposes to retire its $33,730,000 principal amount of outstanding first mortgage gold bonds, 5% series due 1960, at the redemption price of 103% of principal amount plus accrued interest, through the use of present treasury cash, the cash to be received from American, and the proceeds of the issuance and sale, pursuant to the competitive bidding requirements of Rule U–50, of $18,000,000 principal amount of first mortgage bonds, due 1975, and the issuance and private sale of $3,000,000 principal amount of 2⅛%, 10-year serial notes payable in semi-annual installments.

Texas also proposes to issue 68,875 shares of new prefered stock having a par value of $100 per share. It proposes to offer one share of such new preferred stock plus cash in exchange for each share of its presently outstanding $6 preferred stock and to sell, pursuant to the competitive bidding requirements of Rule U–50, the shares of the new preferred stock not required for exchanges. All shares of the presently outstanding $6 preferred stock not offered in exchange will be called at the redemption price of $110. The amount of cash to be offered in connection with the exchange will be the difference between $110 and the public offering price of the shares of the new preferred stock to be sold and the dividend rate of the new preferred stock will be fixed by the bidding for the non-exchanged shares.

The applicants-declarants have designated sections 6 (a), 7, 9 (a) (1), 10, 12 (c) and 12 (f) and Rules U–13, U–42, U–45 and U–50 as being applicable to the proposed transactions.

It appearing to the Commission that it is proper and in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and declaration, and that said application should not be granted, nor said declaration become effective, except pursuant to further order of the Commission:

It is hereby ordered, That a hearing be held upon said matters on March 21, 1945 at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail a copy of this order on the applicants and declarants herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before March 17, 1945 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the mortgage bonds and serial notes proposed to be issued and sold by Texas and the new preferred stock proposed to be issued and sold or exchanged by Texas will be reasonably adapted to the security structure and earning power of Texas and necessary and appropriate to the economical and efficient operation of the business in which Texas is presently engaged.

(2) Whether the fees, commissions or other remunerations to be paid in connection with the issue, sale, distribution or exchange of said securities are reasonable; and whether the fees to be paid in connection with the exchanges are to be or should be fixed in accordance with the competitive bidding requirements of Rule U-50.

(3) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interests of investors or consumers.

(4) Whether the accounting adjustments proposed to be made by Texas are appropriate and whether any other accounting adjustments should be made in connection with the proposed transactions.

(5) Whether the capital contributions to Texas proposed to be made by American will be detrimental to the public interest or the interests of investors or consumers.

(6) Generally, whether the proposed transactions comply with the applicable provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder.

(7) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to ensure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45–3714; Filed, Mar. 8, 1945; 11:24 a. m.]

WAR PRODUCTION BOARD.

[C–274]

F. J. SATTERLEE AND JOHN WEIMER

CONSENT ORDER

F. J. Satterlee and John Weimer, individually and as copartners, are charged by the War Production Board with having done construction of a restaurant and beer garden at 27334 Michigan Avenue, Inkster, Michigan, during September and October, 1944, in violation of War Production Board Conservation Order L–41. F. J. Satterlee and John Weimer admit the violation as charged, do not desire to contest the charge, and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of F. J. Satterlee and John Weimer, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) F. J. Satterlee and John Weimer, their successors or assigns, shall do no construction on premises at 27334 Michigan Avenue, Inkster, Michigan, including putting up, altering or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve F. J. Satterlee and John Weimer from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to F. J. Satterlee and John Weimer, individually and as copartners, their successors and assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 7th day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–3698; Filed, Mar. 7, 1945; 4:55 p. m.]